MANUAL

OF

POWERS AND FUNCTIONS

OF

COMMISSIONERS AND DEPUTY COMMISSIONERS UNDER VARIOUS CENTRAL AND PROVINCIAL LAWS

VOLUME II

Lahore

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PREFACE

The First Volume of the Manual containing Powers and Functions of Commissioners and Deputy Commissioners under various important Heads was published some time back with a view to providing assistance to all officers in the improvement of their knowledge of the delegations which were scattered over in different Manuals, Acts and Government Letters issued from time to time. Copies of Volume I, have also been stocked at Government Book Depots at Lahore and Karachi, for sale to the general public as it was considered that the Manual would be useful to the members of the public in so far as it would readily guide them to approach the local authority concerned for the redress of their grievances.

This is the Second Volume of the Manual showing powers and functions of Commissioners and Deputy Commissioners under various Central and Provincial Laws (excluding those incorporated in Volume I). As in the case of Volume I, Volume II has also been separated in two parts. Part I contains the particulars of powers and functions of Commissioners while Part II contains details of powers and functions of District Magistrates/Deputy Commissioners/ Collectors. Copies of Volume II will also be stocked at the Government Book Depots at Lahore and Karachi, for sale to the general public.

The relevant extracts have been taken from various sources and checked with Reference Books available in the Law Department. It would be appreciated if errors, omissions and suggestions, if any, are brought to the notice of the Secretary, Services and General Administration Department so that the needful could be done at the time of issuing a second edition of these Volumes.

M. M. AHMAD

Dated Lahore, the 10*th June* 1961.

Additional Chief Secretary,
Services and General Administration
Department.

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PART I

(a) STATEMENT SHOWING POWERS AND FUNCTIONS OF COMMISSIONERS UNDER THE CENTRAL LAWS

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
1	The Police Act, 1861 ..	Section 15-A(4) ..	Every declaration or assessment made or order passed by the Magistrate of the district under sub-section (2) shall be subject to revision by the Commissioner of the Division or the Provincial Government, but save as aforesaid shall be final.	
		Section 33-A (3) ..	Every rule promulgated under the authority of clause (j) of sub-section (1) shall be forthwith reported to the Commissioner and shall be in force for not more than fifteen days unless extended by the Commissioner for a longer period and in, such case, for so long as the Commissioner directs.	
2	The Punjab Murderous Outrages Act, 1867.	Section 5	Subject to the provision contained in section 14 of this Act, any offence triable under this Act shall be tried by the Sessions Judge or Commissioner of the division in which it has been committed; and, in respect of all such offences, the Sessions Judge or Commissioner shall follow the procedure prescribed for a Magistrate by section 149, Chapter XVII, and, the provisions applicable to warrant cases of the Code of Criminal Procedure;	
			Provided that, if he shall be of opinion that any witness or evidence is offered for the purpose of vexation or delay, or of defeating the ends of justice, he may require the accused person to satisfy him that there are reasonable grounds for believing that such witness or evidence is material, and if the Sessions Judge or Commissioner be not so satisfied, he shall not be bound to summon the witness or examine the evidence so offered.	
		Section 6 ..	Trials under this Act before the Sessions Judge or Commissioner shall be conducted with the aid of two or more assessors as members of the Court.	
			The Sessions Judge or Commissioner may appoint such persons other than persons specified in section 405 of the Code of Criminal Procedure at such time and in such manner as he may think fit to serve as assessors, and no persons shall be exempt, within the meaning of section 406 of the same Code, from serving as such assessors.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
2—*concld.*	The Punjab Murderous, Outrages Act, 1867—*concld.*	Section 6—*concld.* ..	The provisions of the Code of Criminal Procedure shall, save as aforesaid, apply to assessors appointed under this section.	
		Section 8 ..	When any person shall be sentenced to death under this Act, his body shall be disposed of as the Sessions Judge or Commissioner by whom he was so sentenced shall direct.	
		Section 11 ..	If any Sessions Judge or Commissioner in whom jurisdiction is vested by his Act shall be of opinion that the accused person has committed an offence punishable under the Pakistan Penal Code, but that such offence is not contemplated by the preamble to this Act, the offender shall be dealt with in manner, provided in such case by the Code of Criminal Procedure.	
		Section 14 ..	The Jurisdiction conferred by this Act on a (Sessions Judge of Commissioner) may be exercised, in the case of any offence punishable under this Act, by any person having the full powers of a Magistrate whom the (Sessions Judge or Commissioner) to whom he may be subordinate, or the said (Provincial Government), shall after the commission of such offence, specially invest with such jurisdiction.	
3	The Punjab Laws Act, 1872 .. (Track Law).	Section 42 ..	If such headman or watchman do not forthwith give such assistance, or if the inhabitants of such village do not afford full opportunity for search in their houses for the offenders, or, if from the circumstances of the case, there shall appear good reason to believe that the inhabitants of such village, or any of them were conniving at the offence or at the escape of the offenders, and such offenders cannot be traced beyond the village, the Magistrate of the District may, with the previous sanction of the Commissioner of the Division inflict a fine upon such village not exceeding five hundred rupees, except in the case of stolen property over five hundred rupees in value, in which case the fine shall not exceed the value of such property.	
			An appeal against all convictions under this section shall lie to the High Court at Lahore.	

			The Magistrate may direct that the fine imposed under this section or any part thereof shall be awarded to any persons injured by such offence in compensation for such injury; and, in the case of stolen property recovered through the agency of a tracker, may direct that such property be not restored to its owner until he has paid to such tracker such fee, not exceeding one-fourth part of the value of the stolen property, as the said Magistrate seems fit.	
4	The Canal and Drainage Act, 1873.	Section 27 ..	If the Canal officer disagrees with the Collector, the matter shall be referred for decision to the Commissioner. Such decision shall be final, and the Collector, if he is so directed by such decision, shall, subject to the provision of section 28, cause the said applicant to be placed in occupation of the land so marked out or of the water-course to be transferred, as the case may be.	
5	The Ferries Act, 1878 ..	Section 8 ..	The tolls of any public ferry may, from time to time be let by public auction for a term not exceeding five years with the approval of the Commissioner, or by public auction, or otherwise than by public auction, for any term with the previous sanction of the Provincial Government.	
		Section 11 ..	The lessee of the tolls of a public ferry may surrender his lease on the expiration of one month notice in writing to the Provincial Government of his intention to surrender such lease, and on payment to the Magistrate of the district in which such ferry is situate of such compensation as such Magistrate, subject to the approval of the Commissioner, may in each case direct.	
		Section 12 ..	Subject to the control of the Provincial Government the Commissioner of a division, or such other officer as the Provincial Government may, from time to time, appoint in this behalf, by name or in virtue of his office, may, from time to time, make rules consistent with this Act— (*a*) for the control and the management of all public ferries within such division and for regulating the traffic at such ferries; (*b*) for regulating the time and manner at and in which, and the terms on which, the tolls of such ferries may be let by auction, and prescribing the persons by whom auctions may be conducted; (*c*) for compensating persons who have compounded for tolls payable for the use of any such ferry when such ferry has been discontinued before the expiration of the period compounded for; ... (*d*) generally to carry out the purposes of this Act; and, when the tolls of a ferry have been let under section 8, such Commissioner or other officer may, from time to time (subject as aforesaid), make additional rules consistent with this Act;	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
5—*concld.*	The Ferries Act, 1878—*concld.*	Section 12—*concld.* ..	(*e*) for collecting the rents payable for the tolls of such ferries; (*f*) in cases in which the communications is to be established by means of a bridge of boats, pontoons or rafts, or a swing bridge, flying-bridge or temporary bridge, for regulating the time and manner at and in which such bridge shall be constructed and maintained and opened for the passage of vessels and rafts through the same; and (*g*) in cases in which the traffic is conveyed in boats, for regulating (1) the number and kind of such boats and their dimensions and equipment, (2) the number of the crew to be kept by the lessees for each boat; (3) the mainteance of such boats continually in good condition; (4) the hours during which, and the intervals within which, the lessee shall be bound to ply; and (5) the number of passengers, animals and vehicles, and the bulk and weight of other things, that may be carried in each kind of boat at one trip. The lessee shall make such returns of traffic as the Commissioner or other officer as aforesaid may, from time to time, require.	
		Section 15 ..	Tolls, according to such rates as are, from time to time, fixed by the Provincial Government, shall be levied on all persons, animals, vehicles and other things crossing any river by a public ferry and not employed or transmitted on the public service:— Provided that the Provincial Government may from time to time declare that any persons, animals, vehicles or other things shall be exempt from payment of such tolls. Where the tolls of a ferry have been let under section 8, any such declaration, if made after the date of the (lease), shall entitle the lessee to such abatement of the rent payable in respect of the tolls as may be fixed by the Commissioner of the division or such other officer as the Provincial Government may, from time to time, appoint in this behalf by name or in virtue of his office.	

		Section 16 ..	The lessee or other person authorised to collect the tolls of any public ferry shall affix a table of such tolls, legibly written or printed in the vernacular language and, also if the Commissioner of the division so directs, in English in some conspicuous place near the ferry; and shall be bound to produce, on demand, a list of the tolls, signed by the Magistrate of the district or such other officer as he appoints in this behalf.	
		Section 19 ..	The Commissioner of the division may, with the previous sanction of the Provincial Government, from time to time, make rules for the maintenance of order and for the safety of passengers and property at ferries other than public ferries.	
		Section 24 ..	When any lessee of the tolls of a public ferry makes default in the payment of the rent payable in respect of such tolls, or has been convicted of an offence under section 23, or, having been convicted of an offence under section 21 or section 22, is again convicted of an offence, under either of those sections, the Magistrate of the district may, with the sanction of the Commissioner of the division, cancel the lease of the tolls of such ferry, and make other arrangements for its management during the whole or any part of the term for which the tolls were let.	
		Section 31 ..	Every Magistrate or Bench of Magistrates trying any offence under this Act may inquire into and assess the value of the damage (if any) done or caused by the offender to the ferry concerned, and shall order the amount of such value to be paid by him in addition to any fine imposed upon him under this Act; and the amount so ordered to be paid shall be leviable as if it were a fine, for, when the offence is one under section 28, by the sale of the vessel, raft or timber causing the damage and of anything found in or upon such vessel or raft. The Commissioner of the division may, on the appeal of any person deeming himself aggrieved by an order under this section, reduce or remit the amount payable under such order.	
6	Hackney-Carriage Act, 1879 ..	Section 3 ..	When this Act has been so applied to any municipality, the committee of such municipality may, from time to time, make rules for the regulation and control of hackney-carriages within the limits of such municipality, in the manner in which, under the law for the time being in force, it makes rules or bye-laws for the regulation and control of other matter within such limits. Every rule made under this section shall, when confirmed by the Commissioner and published for such time and in such manner as the Commissioner may, from time to time, prescribe, have the force of law : Provided that the Commissioner may, at any time, rescind any such rule.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
6—*concld.*	Hackney-Carriage Act, 1879—*concld.*	Section 5 ..	The authority making any rules under this Act may with the sanction of the Commissioner extend their operation to any railway station, or specified part of a road, not more than six miles from the local limits of the municipality concerned.	
7	The Legal Practitioners Act, 1879	Section 23 ..	Any Revenue Officer not inferior to a Collector, and, with the Collector's sanction, any Revenue Officer subordinate to him, or any Munsif in his district , may, pending the investigation and the orders of the Chief Controlling Revenue Authority, suspend from practice any revenue agent charged before him under this section. Where any officer acting under this section is subordinate to the Commissioner of a Division, he shall transmit the report through such Commissioner, who shall forward with the same an exprssion of his own opinion on the case.	
8	The Criminal Procedure Code, 1898	Section 491 (1) ..	Any High Court may, whenever it thinks fit, direct— (*c*) that a prisoner detained in any jail situate within such limits be brought before the Court to be there examined as a witness in any matter pending or to be enquired into such Court. (*d*) that a prisoner detained as aforesaid be brought before a Court-Martial or any Commissioners for trial or to be examined touching any matter pending before such Court-Martial or Commissioners respectively.	
9	The Ancient Monuments Preservation Act, 1904.	Section 7 (2) ..	If an owner or other person who is bound by an agreement for the preservation or maintenance of a monument under section 5, refuses to do any act which is in the opinion of the Collector necessary to such preservation or maintenance, or neglects to do any such act within such reasonable time as may be fixed by the Collector, the Collector may authorize any person to do any such act, and the expense of doing any such act or such portion of the expense as the owner may be liable to pay under the agreement may be recovered from the owner as if it were an arrear of land revenue.	✓

		Section 7 (3) ..	A person aggrieved by an order made under this section may appeal to the Commissioner, who may cancel or modify it and whose decision shall be final.
		Section 20 (5) ..	The Collector shall not grant permission for any such construction or excavation if the Director certifies that the construction or the excavation is likely to hinder archaeological or historical research in the said area or to result in the loss of archaeological or historical material which in the national interest should be preserved: Provided that the Collector shall not refuse permission if he is satisfied that the construction not being a dwelling house is required for purposes subservient to agriculture, or that the excavation is necessary for the proper cultivation of the land within the said area.
		Section 20 (6) ..	Any person whose application for such permission is refused may appeal to the Commissioner whose orders shall be final.
10	The Company's Act, 1913 ..	Section 245 (2) ..	All Courts, Judges, Justices, Commissioners and persons acting judicially in Pakistan shall take judicial notice of the seal or stamp or signature (as the case may be) of any such Court, Judge, person, Counsul or Vice-Counsul, attached, appended or subscribed to any such affidavit or to any other document to be used for the purposes of this part.
11	The Cantonments (House Accommodation) Act, 1923.	Section 9 ..	No house in any cantonment or part of a cantonment in which this Act is operative shall, unless it was so occupied at the date of the issue of the notification declaring this Act or the Cantonments (House-Accommodation) Act, 1902, as the case may be, to be operative, be occupied for the purposes of a hospital, school, school hostel, bank, hotel, or shop, or by a railway administration, a company or firm engaged in trade or business or a club, without the previous sanction of the Officer Commanding the District given with the concurrence of the Commissioner or, in a Province where there are no Commissioners, or the Collector.
12	The Cantonment Act, 1924 ..	Section 84 (1) ..	An appeal against the assessment or levy of or against the refusal to refund, any tax under this Act shall lie to the District Magistrate or to such other officer as may be empowered by the Central Government in this behalf: Provided that, where the person to whom the appeal would ordinarily lie is, or was when the tax was imposed, a member of the Board, the appeal shall lie to the Commissioner of the Division, or, in a Province where there are no Commissioners, to the District Judge.

(B) STATEMENT SHOWING POWERS AND FUNCTIONS OF COMMISSIONERS UNDER VARIOUS PROVINCIAL LAWS

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
13	The Karachi Control of Disorderly Persons Act, 1952.	Section 24 (1) ..	The (Commissioner) of Karachi shall appoint an Officer of Police not lower in rank than a Deputy Superintendent of Police to be a Probation Officer.	
14	The Security of Pakistan Act, 1952.	Section 18 ..	The Central Government may, by order direct that any power which by or under any of the provisions of this Act is conferred on the Central Government shall, in such circumstances and under such conditions, if any as may be specified in the direction, be exercised in respect of Karachi by the Commissioner of Karachi or by such or other officer subordinate to him and not below the rank of District Magistrate as he may, by order, direct.	
15	The Capital Development Authority Ordinance, 1960.	Section 36 ..	*Appeals*—(1) Any person aggrieved by a final order of the Deputy Commissioner, may, within fifteen days of the order, appeal to the Commissioner. (2) The Commissioner may either reject the appeal or proceed to hear it n such manner as he may deem fit. (3) The order of the Commissioner passed on any such appeal shall be final and shall not be called in question in any court.	
16	The Punjab Frontier Crossing Regulation, 1873.	Section 2 ..	A warning for the purpose of this Regulation, if addressed to an individual, shall be in writing under the hand of the Commissioner of the Division, or of the Magistrate of the District, within which such individual dwells or may be found, and shall be served upon him in such manner as the Central Government may from time to time prescribe; if addressed to a class of persons or to the public generally, the previous sanction of the Central Government must be obtained, and this warning shall be notified in the Punjab Government Gazette, and be otherwise published in such manner as may be directed by the Central Government.	

		Section 5 ..	If any person contravenes any such order, the Commissioner of the Division or Magistrate of the district with which he is dwelling or may be found may cause him to be apprehended and detained in custody until he is released upon such conditions as the Central Government thinks fit.
		Section 6 ..	If the Commissioner of the Division or Magistrate of the district within which any person (whether an European British subject or not) is dwelling or may be found, reasonably suspects that he intends to disobey the prohibition contained in the first section of this Regulation, such Commissioner or Magistrate may require such security for his good behaviour, for a period not exceeding six months, as to the Commissioner or Magistrate may seem sufficent.
			The provision of the Code of Criminal Procedure, section 507 to 516 (both inclusive) shall apply, *mutatis mutandis*, to all cases under this section.
17	Tenancy Act, 1887 ..	Section 17 ..	If either the landlord or the tenant neglects to attend, either personally or by agent, at the proper time for making the division or appraisement of the produce, or if there is a dispute about the division or appraisement, a Revenue Officer may, on the application of either party, appoint such person as he thinks fit to be a referee to divide or appraise the produce.
3—*contd.*	Tenancy Act, 1887—*contd.*	Section 27 (1) ..	Where the rent of a tenancy is the whole or a share of the land revenue thereof, with or without an addition in money, kind or service and the land revenue of the holding in which the tenancy is situates altered, Revenue Officer having authority under section 56 of the Punjab Land Revenue Act, 1887, to determine the land revenue payable in respect of the several holdings comprised in the estate in which the tenancy is situate shall determine also the amount of the land revenue on the tenancy, or the proportionate share thereof, payable by the tenant as rent.
		Section 27 (2) ..	Where an addition referred to in sub-section (1) is a percentage fixed with reference to the land revenue of the tenancy, or the whole or a share of the rates and cesses chargeable thereon, or both, the Revenue-Officer shall in like manner from time to time alter the amount of the addition in proportion to any alteration of svch land rev.nue or rates and cesses.

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
		Section 27-A (1) ..	Where a tenant having a right of occupancy in land in the Attock district pays wholly or partly in cash a rent not falling within the scope of section 27 and the land revenue of the holding in which the tenancy is situated is altered— A Revenue Officer having authority under section 56 of the Punjab Land Revenue Act, 1887, to determine the land revenue payable in respect of the several holdings comprised in the estate in which the tenancy is situate, may, by written order, and whether the rent was fixed by agreement or otherwise, and either upon the application of such tenant, or his landlord, or of his own motion increase or diminish such rent if wholly payable in cash, or such portion thereof as is payable in cash, to such extent as appears to the Revenue Officer to be proper having regard to the matters specified in sub-section (2).	
		Section 27-A (2) ..	In increasing or diminishing the rent of a tenancy under the provisions of sub-section (1), the Revenue Officer shall, for the purpose of deciding the extent of such increase or diminution, take into consideration only— (*i*) the land revenue of and the rates and cesses chargeable on the tenancy before the land revenue of the holding in which is situated was altered ; (*ii*) the land revenue of and the rates and cesses chargeable on the tenancy after such alterations ; and	

			(*iii*) the methods by which the assessments of the land revenue in force before and after such alteration were calculated and distributed over the several holdings comprised in the estate in which the tenancy is situated.	
		Section 30 (I) ..	Whenever the payment of the whole or any part of the land revenue payable in respect of any land is remitted or suspended, a Revenue Officer may, if the rent be payable in cash or be rent payable in kind of which the amount is fixed, by order, remit or suspend, as the case may be, the payment of the rent of that land to an amount which may bear the same proportion to the whole of the rent payable in respect of the land as the land revenue of which payment has been remitted or suspended bears to the whole of the land revenue payable in respect of the land : Provided that in the case of an occupancy tenant, whose rent is of the nature hereinbefore in this sub-section described, the remission or suspension of the land revenue payable in respect of the land shall, in the absence of a written order by a Revenue Officer to the contrary carry with a proportionate remission or suspension, as the case may be, of his rent. When the payment of the rent of any kind has been suspended under this clause it shall remain under suspension until the Collector orders the revenue of that land to be realized.	
		Section 30 (5) ..	If the landlord collects from a tenant any rent of which the payment has been remitted, or is under suspension, the Revenue Officer may, recover from the landlord the amount or value of the rent so collected and may also recover by way of penalty a further sum not exceeding such amount or value, and may cause to be refunded to the tenant the amount or value of the rent so collected from him.	
		Section 31 ..	In either of the following cases, namely :— (*a*) when a landlord refuses to receive, or grant a receipt for, any rent payable in money when tendered to him by a tenant;	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
127—*contd.*	Tenancy Act, 1887—*contd.*	Section 31—*concld,*	(*b*) when a tenant is in doubt as to the person entitled to receive rent payable in money; the tenant may apply to a Revenue Officer for leave to deposit the rent in his office, and the Revenue Officer shall receive the deposit if, after examining the applicant, he is satisfied that there is sufficient ground for the application and if the applicant pays the fee, if any, chargeable for the issue of the notice next hereinafter referred to.	
		Section 36 (2) ..	The tenant may, instead of, or in addition to, giving the notice in the manner mentioned in sub-section (1), apply to a Revenue Officer on or before the date aforesaid to cause the notice to be served on the landlord, and the Revenue Officer on receiving the cost of service from the tenant, shall cause the notice to be served as soon as may be.	
		Section 43 ..	In any such case as is mentioned in clause (*a*) or clause (*b*) of the last foregoing section, the landlord may apply to a Revenue Officer for the ejectment of the tenant in the case mentioned in the former clause or for the service on the tenant of a notice of ejectment in the case mentioned in the latter clause.	
		Section 45 (I) ..	On receiving the application of the landlord in any such case as is mentioned in clause (*b*) of section 42, the Revenue Officer shall, if the application is in order and not open to objection on the face of it, cause a notice of ejectment to be served on the tenant.	
		Section 45 (5) ..	If within two months from the date of the service of the notice, the tenant does not institute a suit to contest his liability to be ejected, a Revenue Officer, on the application of the landlord shall, subject to the provisions of this Act with respect to the payment of compensation, order the ejectment of the tenant :	

			Provided that the Revenue Officer shall not make the order until he is satisfied that the notice was duly served on the tenant.	
		Section 49 (1) ..	Where at the time of the proposed ejectment of a tenant from any land his uncut or ungathered crops are standing on any part thereof, he shall not be ejected from that part until the crops have ripened and he has been allowed a reasonable time to harvest them.	
		Section 49 (2) ..	The Court or Revenue Officer decreeing or ordering the ejectment of the tenant may, on the application of the landlord, determine any dispute arising in consequence of the provisions of sub-section (1) between the landlord and tenant or between the landlord and any person entitled to harvest the crops of the tenant, and may in its or his discretion— (*a*) direct that the tenant pay for the longer occupation of the land secured to him under sub-section (1), such rent as may be fair and equitable, or (*b*) determine the value of the tenant's uncut and ungathered crops, and on payment thereof by the landlord to the Court or Revenue Officer, forthwith eject the tenant.	
		Section 49 (3) ..	When a tenant for whose ejectment proceedings have been taken has conformably with local usage prepared for sowing any land comprised in his tenancy but has not sown or planted crops on that land, he shall be entitled to receive from the landlord before ejectment a fair equivalent in money for the labour and capital expended by him in so preparing the land and the Court or Revenue Officer before which or whom the proceedings are pending shall, on the application of the tenant, determine the sum payable to the tenant under this sub-section and stay his ejectment until that sum has been paid to him	
		Section 53 (2) ..	If he intends to transfer the right by sale, gift, mortgage by conditional sale or usufructuary mortgage, he shall cause notice of his intention to be served on his landlord through a Revenue Officer and shall defer proceeding with the transfer for a period of one month from the date on which the notice is served.	
		Section 53 (3) ..	Within that period of one month the landlord may claim to purchase the right at such value as a Revenue Officer may, on application made to him in this behalf, fix.	
		Section 53 (4) ..	When the application to the Revenue Officer is to fix the value of a right of occupancy which is already mortgaged, he shall fix the value of the rights as if it were not mortgaged.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
27—*contd.*	Tenancy Act, 1887—*contd.*	Section 53 (5) ..	The landlord shall be deemed to have purchased the right if he pays the value to the Revenue Officer within such time as that officer appoints.	
		Section 53 (6) ..	On the value being so paid, the right of occupancy shall be extinct, and the Revenue Officer shall, on the application of the landlord, put the landlord in possession of the tenancy.	
		Section 53 (7) ..	If the right of occupancy was already mortgaged the tenancy shall pass to the landlord unencumbered by the mortgage but the mortgage-debt shall be a charge on the purchase-money.	
		Section 53 (8) ..	If there is no such charge as aforesaid the Revenue Officer shall, subject to any directions which he may receive from any Court, pay the purchase-money to the tenant.	
		Section 53 (9) ..	If there is such a charge the Revenue Officer shall, subject as aforesaid either apply in discharge of the mortgage-debt so much of the purchase-money as is required for that purpose and pay the balance, if any, to the tenant, or retain the purchase-money pending the decision of a Civil Court as to the person or persons entitled thereto.	
		Section 69 (1) ..	A tenant who has cleared and brought under cultivation waste-land in which he has not a right of occupancy shall, if ejected from that land, be entitled to receive from the landlord as compensation for disturbance, in addition to any compensation for improvements a sum to be determined by a Revenue Court or Revenue Officer in accordance with the merits of the case, but not exceeding five years at of the land : Provided that a tenant who is a joint owner of land to which this section applies shall not be entitled to compensation for disturbance on ejectment from the land or any part thereof.	

		Section 70 (1) ..	In every suit by a tenant to contest his liability to ejectment or by a landlord to eject a tenant or to enhance his rent, the Court shall direct the tenant to file a statement of his claim, if any, to compensation for improvements of for disturbance and of the grounds thereof.	
		Section 70 (2) ..	If the Court decree the ejectment of the tenant or the enhancement of his rent it shall determine the amount of compensation, if any, due to the tenant and shall stay execution of the decree until the landlord pays into Court that amount less any arrears of rent or costs proved to the satisfaction of the Court to be due to him from the tenant.	
	..	Section 71 ..	In either of the following cases, namely :— (*a*) when a notice has been served on a tenant under section 44, (*b*) when a notice of ejectment has been served on a tenant under section 45 and the tenant has not instituted a suit to contest his liability to be ejected. the tenant may apply to the Revenue Officer having authority to order his ejectment under section 44 or section 45, as the case may be, to determine the amount of compensation due to him for improvements or for disturbance or for both and the Revenue Officer shall determine the amount, if any, accordingly and stay the ejectment of the tenant until the landlord pays to the Revenue Officer the amount so determined less any arrears of rent or costs proved to the satisfaction of the Revenue Officer to be due to the landlord from the tenant.	
		Section 72 ..	In estimating the compensation to be awarded under this Chapter to a tenant for an improvement, the Court or Revenue Officer shall have regard to— (*a*) the amount by which the value or the produce of the tenancy, or the value of that produce is increased by the improvement ; (*b*) the condition of the improvement and the probable duration of its effects ; (*c*) the labour and capital required for the making of such an improvement ; (*d*) any reduction or remission of rent or other advantage allowed to the tenant by the landlord in consideration of the improvement ; and	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
17—*contd.*	Tenancy Act, 1887—*contd.* ..		(*e*) in the case of a reclamation, or of the conversion of unirrigated into irrigated land, the length of time during which the tenant has had the benefit of the improvement.	
		Section 73 (1) ..	The compensation shall be made by payment in money, unless the parties agree that it be made in whole or in part by the grant of a beneficial lease of land or in some other way.	
		Section 73 (2) ..	If the parties so agree, the Court a Revenue Officer shall make an order accordingly.	
		Section 74 (1) ..	If from any cause the amount of compensation payable to a tenant :— (*a*) under this Chapter for improvements or disturbance, or (*b*) under section 49 for the value of uncut or ungathered crops or the preparation of land for sowing, has not been determined before the tenant is ejected, the ejectment shall not be invalidated by reason of the omission, but the Court or Revenue Officer which decreed or who ordered the ejectment may, on application made by the tenant within one year from the date of the ejectment, correct the omission by making in favour of the tenant an order for the payment to him by the landlord of such compensation as the Court or officer may determine the tenant to be entitled to.	
		Section 74 (2) ..	An order made under sub-section (1) may be executed in the same manner as a decree for money may be executed by a Revenue Court.	

		Section 76 (1) ..	The following applications and proceedings shall be disposed of by Revenue Officers as such, and no Court shall take cognizance of any dispute or matter with respect to which any such application or proceeding might be made or heard :— *First Group—* (*a*) proceedings under section 27 for the adjustment of rents expressed in terms of the land-revenue, (proceedings under section 27-A for the adjustments of rents of occupancy tenants in the Attock District) ; (*b*) proceedings relating to the remission and suspension of rent under section 30 ; (*c*) applications under section 43 for the ejectment of a tenant against whom a decree for an arrear of rent in respect of his tenancy has been passed and remains unsatisfied ; (*d*) applications under section 45, sub-section (5), for the ejectment of a tenant on whom a notice of ejectment has been served and who has not instituted a suit to contest his liability to be ejected but has claimed compensation under section 71 ; (*e*) applications under section 53 of section 54 for the fixing of the value of a right of occupancy ; (*f*) applications under section 53 or section 54 by landlords for possession of land, the right of occupancy in which has become extinct ; (*g*) proceedings under Chapter VI with respect to the award of compensation for improvements or disturbance.	
		Section 77 (3) ..	The following suits shall be instituted in, and heard and determined by Revenue Courts, and no other Court shall take cognizance of any dispute or matter with respect to which any such suit might be instituted ; Provided that— (1) where in a suit cognizable by and instituted in a Civil Court it becomes necessary to decide any matter which can under this sub-section be heard and determined only by a Revenue Court, the Civil Court shall endorse upon the plaint the nature of the matter for decision and the particulars required by Order VII, rule 10, Civil Procedure Code, and return the plaint for presentation to the Collector ;	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
17—	Tenancy Act, 1887—*contd.*	Section 77 (3)—*contd.*	(2) on the plaint being presented to the Collector, the Collector shall proceed to hear and determine the suit where the value thereof exceeds Rs. 1,000 or the matter involved is of the nature mentioned in section 77 (3), First Group of the Punjab Tenancy Act, 1887, and in other cases may send the suit to an Assistant Collector of the first grade for decision. *1st Group—* (*a*) suits between landlord and tenant for enhancement or reduction of rent under section 24 ; (*b*) suits between landlord and tenant for addition to or abatement of rent under section 28 or for commutation of rent ; (*c*) suits under section 34 for the determination of rent or other sum on the expiration of the term of an assessment of land revenue (and suits relating to the rent to be paid under a mortgage made in accordance with form (c) as prescribed by section 6 of the Punjab Alienation of Land Act, 1900). *Second Group—* (*d*) suits by a tenant to establish a claim to a right of occupancy, or by a landlord to prove that a tenant has not such a right ; (*e*) suits by a landlord to eject a tenant ; (*f*) suits by a tenant under section 45 to contest liability to ejectment whom notice of ejectment has been served; (*g*) suits by a tenant under section 50 for recovery of possession or occupancy, or for compensation or for both ;	

			(*h*) suits by a andlord to set aside a transfer made of a right of occupancy, or to dispossess a person to whom such a transfer has been made, or for both purposes ; (*i*) any other suit between landlord and tenant arising out of the lease or conditions on which a tenancy is held ; (*j*) suits for sums payable on account of village cesses or village expenses; (*k*) suits by a co-sharer in an estate or holding for a share of the profits thereof or for a settlement of accounts ; (*l*) suits for the recovery of over-payments of rent or land revenue or of any other demand for which a suit lies in a Revenue Court under this sub-section ; (*m*) suits relating to the emoluments of Kanungo, Zaildars, Inamdars or village officers ; *Third Group*— (*n*) suits by a landlord for arrears of rent or the money-equivalent of rent, or for sums recoverable under section 14. (*o*) suits by a landowner to recover moneys claimed as due for the enjoyment of rights in or over land or in water, including rights of irrigation, rights over fisheries, right of pasturage and forest rights ; (*p*) suits for sums payable on account of land revenues or of any other demand recoverable as an arrear of land revenue under any enactment for the time being in force, and by a superior landowner for other sums due to him as such.	
		Section 78 (2) ..	Subject to the general superintendence and control of the Board of Revenue, a Commissioner shall control all other Revenue Officers and Revenue Courts in this division.	
		Section 78 (3) ..	Subject as aforesaid and to the control of the Commissioner, a Collector shall control all other Revenue Officers and Revenue Courts in this district.	
		Section 79 (1) ..	The Board of Revenue or a Commissioner or Collector may, by written order, distribute, in such manner as he thinks fit, any business cognizable by any Revenue Officer or Revenue Court under his control.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
17—*contd.*	Tenancy Act, 1887—*contd.*	Section 79 (2) ..	The Board of Revenue or a Commissioner or Collector may withdraw any case pending before any Revenue Officer or Revenue Court under his control, and either dispose of it himself, or by written order refer it for disposal to any other Revenue Officer or Revenue Court under his control.	
		Section 80 ..	Subject to the provisions of this Act and the rules thereunder an appeal shall lie from an original or appellate order or decree made under this Act by a Revenue Officer or Revenue Court, as follows, namely,— (*a*) to the Collector when the order or decree is made by an Assistant Collector of either grade ; (*b*) to the Commissioner when the order or decree is made by a Collector ; (*c*) to the Board of Revenue only on a point of law when the order or decree is made by a Commissioner ; Provided that— (*i*) an appeal from an order or decree made by an Assistant Collector of the first grade specially empowered by name in that behalf by the Provincial Government in a suit mentioned in the first group of sub-section (3) of section 77 shall lie to the Commissioner and not to the Collector ; (*ii*) when an original order or decree is confirmed on first appeal, a further appeal shall not lie ; (*iii*) when any such order or decree is modified or reversed on appeal by the Collector, the order or decree made by the Commissioner on further appeal, if any, to him shall be final.	

		Section 81 ..	The period of limitation for an appeal under the last foregoing section shall run from the date of the order or decree appealed against, and shall be as follows, that is to say,— (*a*) when the appeal lies to the Collector, thirty days; (*b*) when the appeal lies to the Commissioner, sixty days; (*c*) when the appeal lies to the Board of Revenue, ninety days.	
		Section 82 (1) ..	A Revenue Officer, as such, may either of his own motion or on the application of any party interested, review, and on so reviewing modify, reverse or confirm any order passed by himself or by any of his predecessors in office— Provided as follows— (*a*) an order passed by his predecessor in office shall not be reviewed by the; (*i*) Commissioner without first obtaining the sanction of the Board of Revenue, (*ii*) Collector without first obtaining the sanction of the Commissioner, and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject.	
		Section 82 (2) ..	For the purposes of this section, the Collector shall be deemed to be the successor in office of any Revenue Officer of a lower class who has left the district or has ceased to exercise powers as a Revenue Officer, and to whom there is no successor in office.	
		Section 84 (2) ..	A Commissioner or Collector may call for the record of any case pending before, or disposed of by any Revenue Officer or Revenue Court under his control.	
		Section 84 (3) ..	If in any case in which a Collector has called for a record he is of opinion that the proceedings taken or the order or decree made should be modified or reversed, he shall submit the record with his opinion on the case for the orders of the Commissioner.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
17—*contd.*	Tenancy Act, 1887—*contd.*	Section 84 (4) ..	If after examining a record called for under subsection (1), or sub-section (2), or submitted under sub-section (3), the Board of Revenue or the Commissioner, as the case may be, is of the opinion that it is expedient to interfere with the proceedings or the order or decree, it or he, as the case may be, shall pass an order accordingly.	
		Section 89 (1) ..	A Revenue Officer or Revenue Court may summon any person whose attendance he or it considers necessary for the purpose of any application, suit or other business before him or it as a Revenue Officer or Revenue Court.	
		Section 89 (3) ..	The person attending in obedience to the summons shall be bound to state the truth upon any matter respecting which he is examined or makes statements, and to produce such documents and other things relating to any such matter as the Revenue Officer or Revenue Court may require.	
		Section 90 (3) ..	If the summon relates to a case in which persons having the same interest are so numerous that personal service on all of them is not reasonably practicable, it may, if the Revenue Officer or Revenue Court so directs, be served by delivery of a copy thereof to such of those persons as the officer or Court nominates in this behalf and by proclamation of the contents thereof for the information of the other persons interested.	
		Section 90 (4) ..	A summon may, if the Revenue Officer or Revenue Court so directs, be served on the person named therein, either in addition to, or in substitution for, any other mode of service, by forwarding the summons by post in a letter addressed to the person and registered under Part III of the Post Office Act, 1886.	
		Section 90 (5) ..	When a summon is so forwarded in a letter and it is proved that the letter was properly addressed and duly posted and registered, the officer or court may presume that the summon was served at the time when the letter would be delivered in the ordinary course of post.	

		Section 93 (1) ..	Any number of tenants cultivating in the same estate, may in the discretion of the Revenue Officer or Revenue Court and subject to any rules which the Provincial Government may make in this behalf, be made parties to any proceeding under Chapter III.	
		Section 93 (2) ..	But a decree or order shall not be made in any such proceeding unless the Revenue Officer or Revenue Court is satisfied that all the parties thereto have had an opportunity of appearing and being heard.	
		Section 93 (3) ..	A decree or order made in any such proceeding shall specify the extent to which each of the tenants is affected thereby.	
		Section 95 (1) ..	When a defendant admits that money is due from him on account of rent, but pleads that it is due not to the plaintiff but to a third person, the Court shall, except for special reasons to be recorded by it, refuse to take cognizance of the plea unless the defendant pays into Court the amount admitted to be due.	
		Section 95 (2) ..	Where such a payment is made, the Court shall forthwith cause notice of the payment to be served on the third person.	
		Section 95 (3) ..	Unless the third person within three months from the receipt of the notice institutes a suit against the plaintiff and therein obtains an order restraining payment of the money, it shall be paid to the plaintiff on his application to the Court therefor.	
		Section 95 (4) ..	Nothing in this section shall effect the right of any person to recover from the plaintiff money paid to him under sub-section (3).	
		Section 95 (5) ..	When a defendant pays money into Court under this section, the Court shall give the defendant a receipt and the receipt so given shall operate as an acquittance in the same manner and to the same extent as if it had been given by the plaintiff or the third person, as the case may be.	
		Section 96 ..	A Court passing a decree for an arrear of rent may, on the oral application of the decree-holder, order execution thereof against the movable property of the tenant, and against any uncut or ungathered crops on the tenancy in respect of which the arrear is decreed.	
		Section 98 (1) ..	If, in any proceeding pending before a Revenue Court exercising original, appellate or revisional jurisdiction, it appears to the Court that any question in issue is more proper for decision by a Civil Court, the Revenue Court may, with the previous sanction of the Court, if any, to the control of which it is immediately subject, require, by order in writing, any party	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
17—*concld.*	Tenancy Act, 1887—*concld.*	Section 98 (1)—*concld.*	to the proceeding to institute, within such time as it may fix in this behalf, a suit in the Civil Court for the purpose of obtaining a decision on the question and, if he fails to comply with the requisition, may decide the question as it thinks fit.	
		Section 98 (2) ..	If the party institutes the suit in compliance with the requisition, the Revenue Court shall dispose of the proceeding pending before it in accordance with the final decision of the Civil Court of first instance or appeal, as the case may be.	
		Section 99 (1) ..	If the presiding officer of a Civil or Revenue Court in which a suit has been instituted doubts whether he is precluded from taking cognizance of the suit, he may refer the matter through the District Judge or Commissioner, or, if he is a District Judge or Commissioner directly to the High Court.	
		Section 100 (1) ..	In either of the following cases, namely,— (*a*) if it appears to a Civil Court that a Court under its control has determined a suit of a class mentioned in section 77 which under the provisions of that section should have been heard and determined by a Revenue Court, or (*b*) if it appears to a Revenue Court that a Court under its control has determined a suit which should have been heard by a Civil Court, the Civil Court or Revenue Court, as the case may be, shall submit the record of the suit to the High Court.	
		Section 104 ..	When a Revenue Officer of any class who, either as such or as a Revenue Court, has under the foregoing provisions of this Act, any powers to be exercised in any local area is transferred from that local area to another as a Revenue Officer or Revenue Court of the same or a higher class, he shall continue to exercise those powers in that other local area, unless the Provincial Government otherwise directs or has otherwise directed.	

18	Land Revenue Act, 1887 ..	Section 11 (3) ..	Subject to the general superintendence and control of the Board of Revenue, a Commissioner shall control all other Revenue Officers in his division.	
		Section 11 (4) ..	Subject as aforesaid and to the control of the Commissioner, a Collector shall control all other Revenue Officers in his district.	
		Section 12 (1) ..	The Board of Revenue or a Commissioner or Collector may by written order distribute, in such manner as it and he thinks fit, any business cognizable by any Revenue Officer under his control.	
		Section 12 (2) ..	The Board of Revenue or a Commissioner or Collector may withdraw any case pending before any Revenue Officer under its or his control, and either dispose of itself or himself, or by written order refer it for disposal to any other Revnue Officer under its or his control.	
		Section 12 (3) ..	An order uner sub-section (1) or sub-section (2) shall not empower any officer to exercise any power or deal with any business which he would not be competent to exercise or deal with within the local limits of his own jurisdiction.	
			APPEAL, REVIEW AND REVISION	
		Section 13 ..	Save as otherwise provided by this Act, an appeal shall lie from an original or appellate order of a Revenue Officer as follows, namely :— (a) to the Collector, when the order is made by an Assistant Collector of either grade ; (b) to the Commissioner, when the order is made by a Collector, (c) to the Board of Revenue, when the order is made by a Commissioner: Provided that— (i) when an original order is confirmed on first appeal, a further appeal shall not lie ; (ii) when any such order is modified or reversed on appeal by the Collector, the order made by the Commissioner on further appeal, if any, to him shall be final.	

Serial No.	Act, Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
18—*contd.*	Land Revenue Act, 1887—*contd.*	Section 14 ..	Save as otherwise provided by this Act, the period of limitation for an appeal under the last foregoing section shall run from the date of the order appealed against, and shall be as follows, that is to say :— (a) when the appeal lies to the Collector—thirty days, (b) when the appeal lies to the Commissioner—sixty days ; (c) when the appeal lies to the Board of Revenue—ninety days.	
		Section 15 (1) ..	A Revenue Officer may, either of his own motion or on the application of any party interested, review and on so reviewing, modify, reverse or confirm, any order passed by himself or any of his predecessors in office : Provided as follows :— (a) an order passed by his predecessor in office shall not be reviewed by the— (i) Commissioner without first obtaining the sanction of the Board of Revenue, (ii) Collector without first obtaining the sanction of the Commissioner, and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject, (b) an application for review of an order shall not be entertained unless it is made within ninety days from the passing of the	

			order, or unless the applicant satisfies the Revenue Officer that he had sufficient cause for not making the application within that period ;	
			(c) an order shall not be modified or reversed unless reasonable notice has been given to the parties affected thereby to appear and be heard in support of the order ;	
			(d) an order against which an appeal has been preferred shall not be reviewed.	
		Section 15 (3) ..	An appeal shall not lie from an order refusing to review or confirming on review a previous order.	
		Section 16(2) ..	A Commissioner or Collector may call for the record or any case pending before, or disposed of by, any Revenue Officer under his control.	
		Section 16 (3) ..	If in any case in which a Collector has called for a record he is of opinion that the proceedings taken or order made should be modified or reversed, he shall report the case with his opinion thereon for the orders of the commissioner.	
		Section 16(4) ..	The Board of Revenue may in any case called for under sub-section (1) and a Commissioner may in any case called for under sub-section (2) or reported under sub-section (3) pass such order as it or he thinks fit: Provided that no order shall be passed under this section reversing or modifying any proceedings or order of a subordinate Revenue Officer and affecting any question of right between private persons without giving those persons an opportunity of being heard.	
		Section 18(1) ..	Appearances before a Revenue Officer, and applications to and acts to be done before him, under this Act may be made or done (a) by the parties themselves, or (b) by their recognised agents or a legal practitioner ; Provided that the employment of a recognized agent or legal practitioner shall not excuse the personal attendance of a party to any proceeding in any case in which personal attendance is specially required by an order of the officer.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	
1	2	3	4	5—
18—*contd.*	Land Revenue Act, 1887—*contd.*	Section 18(3) ..	The fees of a legal practitioner shall not be allowed as costs in any proceeding before a Revenue Officer under this Act unless that officer considers, for reasons to be recorded by him in writing, that the fees should be allowed.	
		Section 19(1) ..	A Revenue Officer may summon any person whose attendance he considers necessary for the purpose of any business before him as a Revenue Officer.	
		Section 19 (3) ..	The person attending in obedience to the summons shall be bound to state the truth upon any matter respecting which he is examined or make statements and to produce such documents and other things relating to any such matter as the Revenue Officer may require.	
		Section 20(3) ..	If the summons relates to a case in which persons having the same interest are so numerous that personal service on all of them is not reasonably practicable it may, if the Revenue Officer so directs, be served by delivery of a copy thereof to such of those persons as the Revenue Officer nominates in this behalf and by proclamation of the contents thereof for the information of the other persons interested.	
		Section 20(4) ..	A summons may, if the Revenue Officer so directs, be served on the persons named therein, either in addition to, or in substitution for, any other mode of service, by forwarding the summons by post in a letter addressed to the person and registered under part III of the Post Office Act, 1866.	
		Section 20(5) ..	When a summons is so forwarded in a letter and it is proved that the letter was properly addressed and duly posted and registered, the Revenue Officer may presume that the summons was served at the time when the letter would be delivered in the ordinary course of post.	

		Section 26 ..	When a Revenue Officer of any class who has been invested under the foregoing provisions of this Act with any powers to be exercised in any local area is transferred from that local area to another as a Revenue Officer of the same or a higher calss, he shall continue to exercise those powers in that other local area unless the Provincial Government otherwise directs or has otherwise directed.	
		Section 27(2) ..	A person on whom powers are conferred under subsection (1) shall exercise those powers within such local limits and in such classes of cases as the Provincial Government may direct, and except as otherwise directed by the Provincial Government, shall for all purposes connected with the exercise thereof, be deemed to be Board of Revenue Commissioner, Collector, or Assistant Collector, as the case may be.	
		Section 28(2) ..	When the Provincial Government undertakes to pay the zaildars and inamdars in any district tehsil or other local area from the land revenue realized in that local area a rule under subsection (1) may direct that from every person to whom the land revenue of any land in that local areas has been realised and assigned or who has redeemed or compounded for the same, there shall be levied as a contribution towards the payment of such zaildars and inamdars a rate not exceeding one and a half per cent on the land revenue which has been, or, but for such release, assignment, redemption or composition, would have been assessed on such land; and, in any case in which land revenue is collected on account of such land by any Revenue Officer for any such person, such officer may deduct that percentage from the amount payable by him to that person.	
		Section 34(4) ..	A Revenue Officer shall, from time to time, inquire into the correctness of all entries in the register of mutations and into all such acquisitions as aforesaid coming to his knowledge of which, under the foregoing subsections, report should have been made to the patwari and entry made in that register, and shall in each case make such order as he thinks fit with respect to the entry in the annual record of the right acquired.	
		Section 36(1) ..	If during the making, revision or preparation of any record or in the course of any inquiry under this Chapter a dispute arises as to any matter of which an entry is to be made in a record or in a register of mutations, a Officer may, of his own motion, or on the application of any party interested, but subject to the provisions of the next following section, and after such inquiry as he thinks fit, determine the entry to be made as to that matter.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
18—*contd.*	Land Revenue Act, 1887—*contd.*	Section 36(1) ..	If in any such dispute the Revenue officer is unable to satisfy himself as to which of the parties thereto is in possession of any summary inquiry who is the person best entitled to the property, and shall by order direct that that person be put in possession thereof, and that an entry in accordance with that order be made in the record or register.	
		Section 40 ..	Any person whose rights, interests or liabilities are required to be entered in any record under this Chapter shall be bound to furnish, on the requisition of any Revenue Officer or village officer engaged in compiling the all information necessary for the correct compilation thereof. A general assessment the Revenue Officer shall report through the Commission for the sanction of the Board of Revenue his proposals with regard thereto.	
		Section 51(1) ..	After consideration of the proposals submitted by the Revenue Officer under the provisions of section 50 the Board of Revenue shall pass such orders as it may deem fit, subject to the provisions of subsections (3) and (4) and on the receipt of such orders the Revenue Officer shall make an order determining the assessment proper for each estate concerned and shall announce it in such manner as the Board of Revenue may by rule prescribe.	
		Section 51 (2) ..	At the time of announcing the assessment the Revenue Officer shall also declared the date from which it is to take effect, sand, subject to the provisions of this Act, it shall take effect accordingly.	
		Section 52 (3) ..	The order passed by the Revenue Officer on the petition shall set forth his reasons of granting or refusing it.	
		Section 53(2) ..	At any time before an assessment is so confirmed the Commissioner or Board of Revenue may subject to the provisions of sub-section (3) modify the assessment of any estate.	

		Section (53)3 ..	Before an enhancement is ordered under the provisions of subsection (2) the Commissioner or the Board of Revenue as the case may be, shall cause reasonable notice to be given to the landowners by proclamation published in the manner described in section 22, to show cause in a petition addressed to the Revenue Officer why the proposed enhancement should not be and the Revenue Officer shall enquire into any objections, raised by any landowner and submit such petition received with his report thereon to the Commissioner or the Board of Revenue, who shall consider the petition and the report and shall also hear the petitioner if he so desires.	
		Section 55 (12) ..	When the Revenue ,Officer receives a notice under sub-section (1), the Collector may take possession of the estate and deal with it, as nearly as may be, as if the eannual-ment of the assessment thereof had been ordered as a process for the recovery of an arrear of land revenue due thereon.	
		Section 56(1) ..	If the assessment announced under section 51 is in whole or in part a fixed assessment of an estate for a term of years, the Revenue Officer shall, before the date on which the first instalment thereof becomes payable, make an order distributing it over the several holdings comprised in the estate and make and publish a record of the distribution.	
		Section 56(3) ..	If the assessment announced under section 51 is in the form of rates chargeable according to the results of each year or harvest, a Revenue Officer shall from year to year or from harvest to harvest, as the conditions of the assessment may require, make and publish, not later than one month before the first instalment of the land revenue falls due, a record of the amount payable in respect of each holding.	
		Section 57(2) ..	The order passed by the Revenue Officer on the petition shall set forth his reasons for granting or refusing it.	
		Section 58 ..	An appeal from an order under the last foregoing section or section 52 shall lie to the Commissioner, and from the appellate order of the Commissioner, to the Board of Revenue.	
		Section 59 ..	Special assessments may be made by Revenue Officers in the following cases, namely:— (*a*) when land revenue which has been released or assigned is resumed; (*b*) when lands are sold, leased or granted by the Crown;	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
18—*contd.*	Land Revenue Act, 1887—*contd.*	Section 59 (1)—*concld.*	(*c*) when the assessment of any land has been annulled or the landowner has refused to be liable therefor, and the term of which the land was to be managed by the collector or his agent or let in farm has expired ; (*d*) when assessments of land revenue required revision in consequence of the action of water or sand or of calamity of season or from any other cause ; (*e*) when revenue due to the crown on account of pasture or other natural products of land, or on account of miles, fisheries or natural products of water, or on account of other rights described in section 41 or section 42, has not been included in an assessment made under the foregoing provisions of this Chapter.	
		Section 64(2) ..	Where land revenue due to an assingee is collected by a Revenue Officer, there shall be deducted from the sum collected such a percentage on account of the cost of collection as the Board of Revenue may by rule in this behalf prescribe.	
		Section 66 ..	A statement of account certified by Revenue Officer shall be conclusive proof of the existence of an arrear of land revenue, of its amount and of the person who is the defaulter.	
		Section 68 ..	A writ of demand may be issued by a Revenue Officer on or after the day following that on which an arrear of land revenue accrues.	—
		Section 69 (1) ..	At any time after an arrear of land revenue has accrued a Revenue Officer may issue a warrant directing an officer named therein to arrrest the defaulter and bring him before the Revenue Officer.	

		Section 69 (2) ..	When the defaulter is brought before the Revenue Officer, the Revenue Officer may cause him to be taken before the Collector, or may keep him under personal restraint for a period not exceeding ten days and then, if the arrear is still unpaid, cause him to be taken before the Collector.	
		Section 70 (1) ..	At any time after an arrear of land revenue has accrued the movable property and un cut or ungathered crops of the defaulter may be restrained and sold by order of a Revenue Officer.	
		Section 71 (3) ..	The Collector shall report to the Commissioner any transfer made by him under this section, and the Commissioner may set aside the transfer or alter the conditions thereof, or pass such other order as he thinks fit.	
		Section 73(1) ..	When an arrear of land revenue has been due for a longer period than one month, and the foregoing processes are not deemed sufficient for the recovery thereof, the Commissioner may, in addition to or instead of all or any of those processes, order the existing assessment of the estate or holding in respect of which the arrear is due to be annulled.	
		Section 73 (3) ..	When the assessment of any land has been annulled, the Collector may, with the previous sanction of the Commissioner, either manage the land himself or through an agent, or let it in farm to any person willing to accept the farm, for such term and on such conditions as may be sanctioned by the Commissioner. Provided that the terms for which land may be so managed or farmed shall not be longer than fifteen years from the commencement of the agricultural year next following the date of the annulment.	
		Section 73 (4) ..	At some time before the expiration of that term the Collector shall determine the assessment to be paid in respect of the estate or holding for the remainder of the term of the current assessment of the district or tahsil, and when the assessment has been sanctioned by the Commissioner, shall announce it to the land owner.	
		Section 73 (5) ..	The land owner may give notice to the Collector of refusal to be liable for the assessment within thirty days from the date on which the assessment was announced to him.	
		Section 73 (6) ..	If notice is so given, the Collector may, with the previous sanction of the Commissioner take the estate or holding under direct management or farm it for the remainder of the term of the current assessment of the district or tahsil, or for any period within that term which the Commissioner may fix.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
18—*contd.*	Land Revenue Act, 1887—*contd.*	Section 73 (8) ..	The Commissioner may direct that any contract made by the defaulter, or by any person through whom the defaulter claims, with respect to any land comprised in an estate or holding of which the assessment has been annulled shall not be binding on the Collector or his agent or farmer during the period for which the estate or holding remains under the management of the Collector or his agent or is let in farm.	
		Section 75 ..	When an arrear of land revenue has accrued and the foregoing processes are not deemed sufficient for the recovery thereof, the Collector with the previous sanction of the Commissioner may, in addition to or instead of all or any of those processes, and subject to the provisions hereinafter contained, sell the estate or holding in respect of which the arrear is due ; provided that land shall not be sold for the recovery of—	
			(*a*) any arrear which has accrued, while the land was under the charge of the Court of Wards, or was so circumstanced that the Court of Wards might have exercised jurisdiction over it under the provisions of section 35 of the Punjab Laws Act, 1872, clause (*a*), (*b*), (*c*) or (*d*) ; or	
			(*b*) any arrear which has accrued while the land was under attachment under section 72 of this Act ; or	
			(*c*) any arrear which has accrued while the land was held under direct management by the Collector or in farm by any other person, under section 73, after either an annulment of assessment or a refusal to be liable therefore.	
		Section 76 (2) (c) ..	Nothing in sub-section (1) shall affect any encumbrance, grant, contract or right of occupancy specially saved by the order of the Commissioner proclaimed as hereinafter provided.	

		Section 77(1) ..	If the arrear cannot be recovered by any of the processes herein before provided, or if the Commissioner considers the enforcement of any of those processes to be inexpedient, the Collector may, where the defaulter owns any other estate or holding, or any other immovable property, proceed under the provisions of this Act against that property as if it were the land in respect of which the arrear is due ; Provided that no interests save those of the defaulter alone shall be so proceeded against, and no encumbrances created, grants made or contracts entered into by him in good faith shall be rendered invalid by reason only of his interests being proceeded against.	
		Section 79 (1) ..	On the receipt of the sanction of the Commissioner to the sale of any immovable property, the Collector shall issue a proclamation of the intended sale, specifying— (*a*) the date, time and place of the sale ; (*b*) the property to be sold, and, if it is an estate or holding, the land revenue assessd thereon or payable in respect thereof; (*c*) if the property is to be sold for the recovery of an arrear due in respect thereof, the encumbrances, grants, contracts and rights of occupancy, if any, specially saved by order of the Commissioner under section 76, sub-section (2), clause (*c*); (*d*) if the property is to be sold otherwise than for the recovery of an arrear due in respect thereof, any encumbrance, grant or contract to which the property is known to be liable ; and (*e*) the amount for the recovery of which the sale is ordered.	
		Section 80 ..	A Revenue Officer shall not be answerable for any error, mis-statement or omission in any prolcamation under the last forgoing section, unless the same has been committed or made dishonestly.	
		Section 89 ..	In default of payment of the full amount of the purchase-money within the period mentioned in the last foregoing section, the deposit referred to in section 85 or section 87, as the case may be, shall, after defraying the expenses of the sale, be forfeited to the Government and may, if the Collector with the previous sanction of the Commissioner so directs be applied in reduction of the arrear, and the property shall be re-sold, and the defaulting purchaser shall have no claim to the property or to any part of the sum for which it may subsequently be sold.	

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Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
18—*contd.*	Land Revenue Act 1887—*contd.*	Section 90 ..	Every sale or immovable property under this Chapter shall be reported by the Collector to the Commsioner.	
		Section 91 (1) ..	At any time within thirty days from the date of the sale, application may be made to the Commissioner to set side the sale on the ground of some material irregularity or mistake in publishing or conducting it;	
		Section 91(2) ..	But a sale shall not be set aside on that ground unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of the irregularity or mistake.	
		Section 92 (1) ..	After the expiration of thirty days from the date of the sale, if such application as is mentioned in the last foregoing section has not been made or if such application has been made and rejected, the Commissioner shall make an order confirming the sale and if such application has been made and allowed the Commissioner shall make an order setting aside the sale.	
		Section 95(2) ..	The certificate shall state whether or not the property was sold for the recovery of an arrear due in respect thereof, and, if it was sold, shall set forth the encumbrances, grants, contracts and rights of occupancy, if any, specified in the proclamation of the sale as specially saved by order of the Commissioner under section 76, sub-section (2), clause(c).	
		Section 97 ..	When a village-officer required by rules under section 28 to collect any land revenue or sum recoverable as an arrear of land revenue satisfied a Revenue-Officer that the revenue or sum has fallen due and has not been paid to him, the Revenue Officer may, subject to any rules which the Board of Revenue may make in this behalf, recover it as if it were an arrear of land revenue.	
		Section 101(1) ..	A Revenue Officer may, for the purpose of framing any record or making any assessment under this Act, or on the application of any person intereted define the limits of any estate, or of any holding field or other portion of an state, and may, for the purpose of indicating those limits, require survey marks to be erected or repaired.	

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		Section 101(2) ..	In defining the limits of any land under sub-section (1), the Revenue Officer may cause survey-marks to be erected on any boundary already determined by, or by order of, any Court, Revenue Officer or Forest Settlement Officer, or restore any survey-mark already set up by, or by order of any Court or any such officer.	
		Section 101A (2) ..	Upon an order being made under sub-section (1) the Collector shall fix a boundary line between such estates or portions of such estates accordingly and shall demarcate the same, in accordance with the rules (if any) made under section 100 and the provisions of section 101.	
		Section 101A (4) ..	No such boundary line shall be deemed to have been permanently fixed until it has been approved by the Commissioner.	
		Section 104 ..	Any Revenue Officer, and any person acting under the order of a Revenue Officers may, in the discharge of any duty under this Act, enter upon and survey land and erect survey-marks thereon and demarcate the boundaries thereof and do all other acts necessary for the proper performance of that duty.	
		Section 105(1) ..	When any land is being surveyed in pursuance of rules under section 46, clause (c), any Revenue Officer directing the survey may, by notice or proclamation, require all persons having rights or interests in the land to indicate, within a specified time, by temporary marks of a kind to be described in the notice or proclamation the limits of those rights or interests.	
		Section 105 (2) ..	If a person to whom the notice or proclamation is addressed fails to comply with the requisition, he shall be liable at the discretion of the Revenue Officer to fine which may extent to ten rupees.	
		Section 106 (2) ..	If the land-owners fail to provide such persons or to provide them in sufficient number, such other persons as a Revenue Officer considers necessary may be employed and the cost of employing them recovered from the land-owners as if it were an arrear of land revenue.	
		Section 108 (1) ..	If any person wilfully destroys or injures or without lawful authority removes a survey-mark lawfully erected, he may be ordered by a Revenue Officer to pay such fine not exceeding fifty rupees for each mark so destroyed, injured or removed as may, in the opinion of the Revenue Officer, be necessary to defray the expenses of restoring the same and of rewarding the person, if any, who gave information of the destruction, injury or removal.	
		Section 109 ..	Every village officer of an estate shall be legally bound to furnish a Revenue Officer with information respecting the destruction or removal of, or any injury done to, any survey-mark lawfully erected in the estate.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	1	3	4	5
18—contd.	Land Reve [illegible] Revenue [illegible]—contd.	Section 112 (2) ..	Notwithstanding anything in the last foregoing section—partition of any of the following properties, namely:— (a) any embankment, water-course, well or tank and any land on which the supply of water to any such work may depend (b) any grazing-ground and (c) any land which is occupied as the site of a town or village and is assessed to land revenue, may be refused if in the opinion of the Revenue Officer the partition of such property is likely to cause inconvenience to the co-sharers or other persons directly or indirectly interested therein or to diminish the utility thereof to those persons.	
		Section 113 ..	The Revenue Officer, on receiving the application under section 111, shall, if it is in order and not open to objection the face of it, fix a day for the hearing thereof, and— (a) cause notice of the application and of the day so fixed to be served on such of the recorded co-sharers as have not joined in the application, and if the share of which partition is applied for is a share in a tenancy, on the landlord also; and (b) if he thinks fit, cause the notice to be served on, or proclaimed for the information of, any other persons whom he may deem to be directly or indirectly interested in the application.	
		Section 114 ..	On the day fixed for the hearing, or on any day to which the hearing may be adjourned, the Revenue Officer shall ascertain whether any of the other co-sharers desire the partition of their shares, also, and, if any of them so desire, he shall add them as applicants for partition.	
		Section 115 ..	After examining such of the co-sharers and other persons as may be present on that day, the Revenue Officer may, if he is of opinion that there is good and sufficient cause why partition should be absolutely disallowed, refuse the application, recording the grounds of his refusal.	

		Section 116 ..	If the Revenue Officer does not refuse the application under the last foregoing section, he shall ascertain the questions, if any, in dispute between any of the persons interested distinguishing between:— (a) questions as to title in the property of which partition is sought, and (b) questions as to the property to be divided, or the mode of making the partition.	
		Section 117 (1) ..	When there is a question as to title in any of the property of which partition is sought, the Revenue Officer may decline to grant the application for partition until the question has been determined by a competent Court, or he may himself proceed to determine the question as though he were such a Court.	
		Section 117 (2) ..	Where the Revenue Officer himself proceeds to determine the question the following rules shall apply, namely:— (a) If the question is one over which a Revenue Court has jurisdiction, the Revenue Officer shall proceed as a Revenue Court under the provisions of the Punjab, Tenancy Act 1887. (b) If the question is one over which a Civil Court has jurisdiction, the procedure of the Revenue Officer shall be that applicable to the trial of an original suit by a Civil Court, and he shall record judgment and decree containing the particulars required by the Code of Civil Procedure to be specified therein.	
		Section 118 (1) ..	When there is a question as to the property to be divided or the mode of making a partition, the Revenue Officer shall after such inquiry as he deems necessary record an order stating his decision on the question and his reasons for the decision.	
		Section 118 (2) ..	An appeal may be preferred from an order under sub-section (1) within fifteen days from the date thereof and when such an appeal is preferred and the institution thereof has been certified to the Revenue Officer by the authority to whom the appeal has been preferred the Revenue Officer shall stay proceedings pending the disposal of the appeal.	
		Section 118 (3) ..	If an applicant for partition is dissatisfied with an original or appellate order under this section and applies for permission to withdraw from the proceedings in so far as they relate to the partition of his shares he shall be permitted to withdraw therefrom on such terms as the Revenue Officer thinks fit.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
18—*contd.*	Land Revenue Act 1887—*contd.*	Section 118 (4) ..	When an applicant withdraws under the last foregoing sub-section the Revenue Officer may where the other applicants if, any, desire the continuance of the proceedings, continue them in so far as they relate to the partition of the shares of those other applicants.	
		Section 119 ..	When any such property as is referred to in section 112, clause (2), is excluded from partition, the Revenue officer may determine the extent and manner to and in which the co-sharers and other perssons interested therein may make use thereof, and the proportion in which expenditure incurred thereon and profits derived therefrom, respectively, are to be borne by and divided among those persons or any of them.	
		Section 120 (1) ..	The amount of revenue to be paid in respect of each of th holdings into which land has been divided on a partition, and the amount of rent to be paid in respect of each of the portions into which a tenancy has been so divided, shall be determined by the Revenue Officer making the partition.	
		Section 120 (2) ..	The determination of the Revenue Officer as to the revenue to be paid in respect of each holding shall, where the estate in which the holding is situate is subject to a fixed assessment, be deemed to be an order under section 56, sub-section (1).	
		Section 121 ..	When a partition is completed, the Revenue Officer shall cause an instrument of partition to be prepared and the date on which the partition is to take effect to be recorded therein.	
		Section 122 ..	An owner or tenant to whom any land or portion of a tenancy, as the case may be is allotted in proceedings for partition shall be entitled to possession thereof as against the other parties to the proceedings and their legel representatives, and a Revenue Officer shall, on application made to him for the purpose by and such owner or tenant at any time within three years from the date recorded in the instrument of partition under the last foregoing section give effect to that instrument so far as it concerns the applicant as if it were a decree for immovable property.	

	Sectiou 123 (1) ..	In any case in which a partition has been made without the intervention of a Revenue Officer any party thereto may apply to a Revenue Officer for an order affirming the partition.	
	Section 123 (2) ..	On receiving the application the Revenue Officer shall inquire into the case and if he finds that the partition has in fact, been made, he may make an order affirming it and proceed under sections 119, 120, 121 and 122 or any of those sections, as circumstances may require, in the same manner as if the partition had been made on an application to himself under this Chapter.	
	Section 125 ..	When by established custom any land in an estate is subject to periodical re-distribution, a Revenue Officer may, on the application of any of the landowners, enforce the re-distribution according to the custom, and for this purpose may exercise all or any of other powers of a Revenue Officer in proceedings for partition.	
	Session 127 (1) ..	Any Revenue Officer may, with the consent of the parties, refer to arbitration any dispute arising before him in any matter under this Act.	
	Section 128 (1) ..	In referring a dispute to arbitration a Revenue Officer shall make an order of reference, and specify therein the precise matter submitted to arbitration, the number of arbitrators which each party to the dispute is to nominate the period within which arbitrators are to be nominated, and the period within which the award is to be delivered.	
	Section 128 (3) ..	If from any cause arbitrators are not nominated or an award is not delivered within the period fixed there for in the order of reference, the Revenue Officer may from time to time enlarge that period, or may cancel the order of reference.	
	Section 129 (1) ..	When an order of reference has been made, the parties may each nominate the number of arbitrators specified in the order, and the Revenue Officer shall nominate one other arbitrator.	
	Section 129(2) ..	The Revenue Officer may, for reasons to be recorded by him, make an order disallowing any nomination made by either party and requiring the party to make another nomination within a time to be specified in the order.	
	Section 131 ..	In any of the following cases, namely:— (*a*) if either of the parties fails to nominate an arbitrator under sub-section (1) of section 129, within the period fixed in the order of reference, or	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
18—*contd.*	Land Revenue Act 1887—*contd.*	Section 131—*concld.*	(*b*) if the nomination of an arbitrator has been disallowed under sub-section (2) of section 129, and another arbitrator is not nominated within the time specified in the order under that sub-section, or, having been so nominated, his nomination is also disallowed, or (*c*) if a party entitled to nominate an arbitrator in the place of another arbitrator under section 130 fails to nominate him within one week from the date of the communication to him of a notice requiring him to make the nomination, or (*d*) if an arbitrator nominated by the Revenue Officer dies, desires to be discharged or refuses or becomes incapable to act, the Revenue Officer may nominate a person as arbitrator.	
		Section 132 (1)	The Revenue Officer shall, on the application of the arbitrators, issue the same process to the parties and witnesses whom the arbitrators desire to examine as he may issue in any proceeding under this Act before himself.	
		Section 133 (2) ..	The arbitrators shall present the award to the Revenue Officer in person unless that officer permits them to present it by agent.	
		Section 138 (1) ..	In either of the following cases, namely:— (*a*) when a headman or other landowner, or an assignee of land revenue to whom any sum other than rent is payable on account of a liability under this Act, refuses to receive the sum from, or to grant a receipt therefor to, the person by whom it is payable, (*b*) when the person by whom any such sum is payable is in doubt as to the headman or other land-owner, or the assignee of land revenue, entitled to receive it, That person may apply to a Revenue Officer for leave to deposit the sum his office, and the Revenue Officer shall receive the deposit if, after examining the applicant, he is satisfied that there is sufficient ground for the application, and if the applicant pays the fee, if any, which may be chargeable on any notice to be issued of the receipt thereof.	

		Section 140 (1) ..	Revenue Officer receiving a deposit purporting to be made on any other account shall give notice of the receipt thereof to every person who he has reason to believe claims or is entitled to the deposit and may pay the amount thereof to any person appearing to him to be entitled to the same or may, if he thinks fit, retain the deposit pending the decision of a Civil Court as to the person so entitled.	
		Section 140 (2) ..	No suit or other proceedings shall be instituted against the Crown or against any officer of the Crown in respect of anything done by a Revenue Officer under this section, but nothing in this sub-section shall prevent any person entitled to receive the amount of any such deposit from recovering it from a person to whom it has been paid by a Revenue Officer.	
		Section 141 ..	Orders issued by any Civil or Criminal Court for the attachment, sale or delivery of any land or interest in land, or for the attachment of sale of the produce of any land, shall be addressed to the Collector or such Revenue-Officer, as the Collector may appoint in this behalf, and be executed by the Collector or that officer in accordance with the provisions of the law applicable to the Court issuing the orders and with any rules consistent therewith made by the Board of Revenue with the concurrence of the High Court and the previous sanction of the Provincial Government.	
		Section 145 (1) ..	At any of the following items, namely:— (*a*) when the record-of-rights, is being made or specially revised for an estate. (*b*) when the local area in which an estate is situate is being generally re-assessed and before the assessment has been confirmed. (*c*) at any other time on an order made with respect to any estate by the Board of Revenue a Revenue Officer shall prepare a list of village of village-cesses, if only, levied in the estate which have been generally or specially approved by the Provincial Government.	
		Section 147 (3) ..	If a landowner bound by an agreement under that sub-section to render public service in lieu of paying land-revenue fails to render the service to the satisfaction of the Collector, the Collecor may determine the portion of the land revenue remitted which is represented by the service in respect of which the landowner is in default, and with the previous sanction of the Commissioner, recover that portion as if it were an arrear of land revenue due in respect of the land for the land revenue whereof the service was substituted.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
18—*concld.*	Land Revenue Act 1887—*concld.*	Section 149 ..	If a person required by a summons, notice, order or proclamation proceeding from a Revenue Officer to attend at a certain time and place within the limits of the estate in which he ordinarily resides, or in which he holds or cultivates land, fails to comply with the requisition, he shall be liable at the discretion of the Revenue Officer to fine which may extend to fifty rupees.	
		Section 150 (1) ..	Where land which has been reserved for the common purposes of the co-sharers therein has been encroached on by any co-sharer, a Revenue Officer may on the application of any other co-sharer, eject the encroaching co-sharer from the land and, by order proclaimed in manner mentioned in section 22, forbid repetition of the encroachment.	
		Section 150 (2) ..	The proceedings of the Revenue Officer under sub-section (1) shall be subject to any decree or order which may be subsequently passed by any Court of competent jurisdiction.	
		Section 152 (1) ..	A Revenue Officer may give and apportion the costs of any proceedings under this Act in any manner he thinks fit.	
		Section 152 (2) ..	But if he orders that the costs of any such proceedings shall not follow the event, he shall record his reasons for the order.	
		Section 154 (1) ..	A Revenue Officer, or a person employed in a revenue office, shall not— (*a*) purchase or bid for, either in person or by agent in his own name or in that of another, or jointly or in shares with others, any property which any Revenue Officer or Revenue Court in the district in which he is employed has ordered to be sold, or (*b*) in contravention of any rules made by the Provincial Government in his behalf, engage in trade in that district.	
19	The Punjab Alienation of Land Act, 1900.	Section 3 (c) ..	Any person aggrieved by an order of the Deputy Commissioner under section 3-A or section 3-B may appeal to the Commissioner, provided that no appeal shall lie unless the appeal is instituted within thirty days of the order appealed against, excluding days required for obtaining copies of the order.	

		Section 13-B ..	An appeal shall lie from any order passed, whether in original or on review by a Deputy Commissioner under section 4 of section 13-A, as follows, namely:— (a) to the Commissioner when the order is passed by the Deputy Commissioner;
		Section 13-D ..	The period of limitation for an appeal under section 13-B, shall run from the date of the order appealed against and shall be as follows:— (a) when the appeal lies to the Commissioner, sixty days,
20	The Punjab Land Preservation (Chos) Act, 1900.	Section 7 (2)	Any claim not perferred within the time fixed in the proclamation made under sub-section (1), shall be rejected : Provided that, with the previous sanction of the Commissioner, the Deputy Commissioner may be admit any such claim as if it has been made within the such period.
21	The Frontier Crimes Regulations, 1901.	Section 11(1) ..	Where, in the opinion of the Commissioner or Deputy Commissioner, it is inexpedient that the question of the guilt or innocence of any person or persons accused of any offence, or of any of several persons so accused, should be tried by a Court of any of the classes mentioned in section 6 of Code of Criminal Procedure, 1898, the Deputy Commissioner may or if the Commissioner so directs, shall by order in writing, refer the question to the decision of a Council of Elders, and require the Council to come to a finding on the question after such inquiry as may be necessary and after hearing the accused person. The members of the Council of Elders shall, in each case, be nominated and appointed by the Deputy Commissioner.
		Section 12(2) ..	Where the Deputy Commissioner so convicts a person of an offence mentioned in the second schedule, he may, whatever may be the punishment prescribed for the offence, sentence the person, in lieu of or in addition to fine, to be imprisoned for a term which may extend to seven years, or, subject to the provisions of section 393 of the Code of Criminal Procedure, 1898 to be whipped, or to be whipped and imprisoned for a term which may extend to five years, or to be transported for a term which may extend to seven years, and, where he so convicts a person of an offence punishable with transportation or with imprisonment for a term exceeding seven years, he may, subject to confirmation by the Commissioner, sentence the person to a term either of transportation or of imprisonment exceeding seven years but not exceeding fourteen years;

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
21—*contd.*	The Frontier Crimes Regulations, 1901—*contd.*	Section 14 ..	The powers conferred by section 11 on the Commissioner and Deputy Commissioner, respectively, may be exercised by them, in cases committed to the Court of Session, at any time before the trial before that Court has commenced, and, in cases pending before any court inferior to the court of Session at any time before an order of conviction or acquittal has been made.	
		Section 15(1) ..	In any trial before a Court of Session, the Public Prosecutor may, when instructed in writing in that behalf by the Commissioner or Deputy Commissioner, at any time before an order of conviction or acquittal has been made, with respect to any accused person, withdraw from the prosecution of such person in order that the case may be referred to a Council of Elders.	
		Section 21 ..	In the event of any frontier tribe, or of any section or members of such tribe, acting in a hostile or unfriendly manner towards the Government or towards persons residing within Pakistan the Deputy Commissioner may, with the previous sanction of the Commissioner, by order in writing, direct— (a) the seizure, wherever they may be found, of all or any of the members of such tribe and of all or any property belonging to them or any of them ; (b) the detention in safe custody of any person or property so seized ; and (c) the confiscation of any such property; and may, with the like sanction, by public proclamation ; (d) debar all or any members of the tribe from all access into Pakistan; and (e) prohibit all or any persons within the limits of Pakistan from all inter-course or communication of any kind whatsoever, or of any specified kind or kinds with such tribe or any section or members thereof.	

		Section 22 ..	Where from the circumstances of any case, there appears to be good reason to believe that the inhabitants of any village, or part of a village, or any of them, have— (*a*) connived at, or in any way abetted, the commission of an offence: or (*b*) failed to render all assistance in their power to discover the offenders or to effect their arrest ; or (*c*) connived at the escape of, or harboured, any offender or person suspected of having taken part in the commission of an offence ; or (*d*) combined to suppress material evidence of the commission of an offence ; The Deputy Commissioner, may, with the previous sanction of the Commissioner, impose a fine on the inhabitants of such village or part of a village, or any of them as a whole.	
		Section 27 ..	Forfeiture under section 25 or section 26 may be adjudged by order of the Deputy Commissioner for a term which may extend to three years, and order of the Commissioner for any longer term or in perpetuity.	
		Section 31 (1) ..	No new hamlet, village-habitation, tower or walled enclosure shall, without the previous sanction in writing of the Commissioner, who may either grant or refuse such sanction as he thinks fit, be erected at any place within five mile of the frontier of Pakistan.	
		Section 31 (2) ..	Where the Commissioner refuses to sanction the erection of any such hamlet, village habitation, tower or walled enclosure, as the case may be, he shall record his reasons for so doing.	
		Section 35 (1) ..	Where, in the opinion of the Deputy Commissioner, the custom of providing for watch and ward by what are commonly known as "naubati chaukidars" exists in the case of any village community, and the village community, or any part thereof fails to provide for the due performance of such service, or any member of the village community fails to perform his duty of watch and ward according to the customary rotation in respect of such duties, the Deputy Commissioner may impose a fine, which may extend to one hundred rupees in any one case upon the village community or part or member thereof so failing as aforesaid.	
		Section 35 (2) ..	The provision of section 24 shall be applicable to the recovery of fines imposed on any village community or part thereof under this section.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
21—*contd.*	The Frontier Crime Regulations, 1901—*contd.*	Section 35 (3) ..	Where such custom as aforesaid has not existed or has fallen into disuse any village community, the Deputy Commissioner, may, with the previous sanction of the Commissioner, by order in writing, direct its introduction or revival, as the case may be; and thereupon the provisions of sub-section (1) shall apply in respect of the village community.	
		Section 36 ..	Where in the opinion of the Deputy Commissioner, any person— (*a*) is a dangerous fanatic ; or (*b*) belongs to a frontier tribe and has no ostensible means of subsistence or cannot give a satisfactory account of himself; or (*c*) has a blood-feud ; or (*d*) has accasioned cause of quarrel likely to lead to blood-shed ; the Deputy Commissioner may, by order in writing, require him to reside beyond the limits of the territories to which this Regulation extends, : or at such place within the said territories as may be specified in the order : Provided that, if the person has a fixed habitation in the place which the Deputy Commissioner requires him to leave, an order under this section shall not be made without the previous sanction of the Commissioner.	
		Section 40 (1) ..	Where the Commissioner or the Deputy Commissioner is of opinion that it is necessary for the purpose of preventing murder, or culpable homicide not amounting to murder, or the dissemination of sedition, to require a person to execute a bond for good behaviour or for keeping the peace, as the case may be, he may order the person to execute a bond, with or without sureties, for his good behaviour or for keeping the peace, as the case may be, during such period, not exceeding three years, as the Commissioner or the Deputy Commissioner as the case may be, may fix.	

		Section 40 (3) ..	Where a person has been convicted in accordance with the finding of a Council of Elders of an offence mentioned in section 106 of the Code of Criminal Procedure, 1898, or punishable under section 302, section 304, section 307 or section 308 of the Pakistan Penal Code, the Deputy Commissioner at the time of passing sentence, or the Commissioner at the time of revising the sentence, may make an order under sub-section (1) with respect to that person.	
		Section 40(5) ..	Where the Commissioner or the Deputy Commissioner is of opinion that sufficient grounds exist for making an order under sub-section (1), he may, either in lieu of or in addition to such order, by order in writing, direct that the person concerned shall notify his residence and any change of residence in the manner prescribed by section 565 of the Code of Criminal Procedure, 1898, during such term, not exceeding three years, as may be specified in the order.	
		Section 46(4) ..	Notwithstanding anything in this section, no person shall suffer, for failure to give security under this Chapter, continuous imprisonment for more than six years or, without the sanction of the Commissioner, for more than three years.	
		Section 47(1) ..	Where, within the teritories in which all or any of the provision of this Regulation are for the time being in force, it is found necessary or expedient to take security under this Regulation from Pathans or Biluchis or any other classes against whom all or any of the provisions of section 40 to 46 may for the time being be enforced, the provisions of Chapters VIII and XLII of the Code of Criminal Procedure, 1898, shall be read as if for the words "High Court", "Court of Session" and "Sessions Judge", wherever they occur, the word "Commissioner" were substituted, and all references to any such Courts shall be deemed to refer to the Court of the Commissioner.	
		Section 47 (2) ..	Subject to the provisions of sub-section (2) of section 42 and sub-section (1) of this section, the provisions of the said Chapters of the Code of Criminal Procedure, 1898, shall so far as they are consistent therewith, be applicable to every proceeding under this Chapter relating to the taking of security; but all applications for revision in respect to any such proceeding shall be made to, and be disposed of by the Commissioner.	
		Section 49 ..	The Commissioner may call for the record of any proceeding under this Regulation and revise any decision, decree, sentence or order given passed or made therein.	
		Section 50 ..	The Commissioner may, in the exercise of his revisional jurisdiction in any criminal proceeding, exercise the power to direct tender of pardon conferred by section 338, and any of the powers conferred on an Appellate Court by sections 195, 423, 426, 427 and 428 of the Code of Criminal Procedure, 1898, and may also enhance any sentence:	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
21—contd.	The Frontier Crimes Regulations, 1901—concld.	Section 50—concld.	Provided that nothing in this Chapter shall be deemed to authorise the Commissioner to set aside the finding on any question of fact of a Council of Elders, where such finding has been accepted by the Deputy Commissioner, unless he is of opinion that there has been a material irregularity or defect in the proceedings or that the proceedings have been conducted as to occasion a miscarriage of justice.	
		Section 51 ..	No sentence shall be passed by the Commissioner in the exercise of his revisional jurisdiction which the Deputy Commissioner could not have passed under this Regulation.	
		Section 52 ..	Nothing in this Chapter shall be deemed to authorise the Commissioner to vary set aside any decision, decree or order given, passed or made in any civil proceeding under this Regulation, unless he is of opinion that there has been a material irregularity or defect in the proceeedings or that the proceedings have been so conducted as to occasion a miscarriage of justice, or that the decision, decree or order is contrary to good conscience or public policy.	
		Section 53 ..	Where, in the exercise of his revisional jurisdiction in any proceeding under this Regulation, the Commissioner varies or sets aside any decision, decree, sentence or order, he shall record his reasons for so doing.	
		Section 54(1) ..	The Commissioner shall not revise any decision, decree, sentence or order given, passed or made by himself in the capacity of Deputy Commissioner.	
		Section 54(2) ..	Where any such decision, decree, sentence or order is brought to the notice of the Commissioner with a view to the exercise by him of his revisional jurisdiction in respect thereof under this regulation, the Commissioner shall report the case to the Provincial Government, and it shall be disposed of by the Provincial Government or by such officer as the Provincial Government may appoint in that behalf.	
		Section 55 ..	Every order made by the Commissioner in exercise of his revisional jurisdiction shall be enforced as if it were an order of the Deputy Commissioner or District Magistrate, as the case may be, and the Deputy Commissioner or District Magistrate shall do all acts and things necessary to give effect thereto.	

		Section 57 (1) ..	The Deputy Commissioner may make such order as he thinks fit or the disposal of the proceeds of any fine imposed under section 12, section 18 or section 22, and subject to any order made by the Commissioner undere Chapter VI, the proceeds shall be disposed of accordingly.	
		Section 58 ..	Registers shall be kept up, in forms to be approved by the Provincial Government, of all cases dealt with by the Deputy Commissioner and by the Commissioner under this Regulation.	
22	The Punjab Minor Canals Act, 1905	Section 43 (2) (*b*) ..	If the dispute relates to a water-course the Collector shall hear and determine the case as a revenue officer and shall make such order thereon as to him seems fit, and such order shall, unless set aside on appeal to the Commissioner, be conclusive as to the use or distribution of water for any crop sown or growing at the date of such order. The order of the Commissioner on appeal shall in every such case be final.	
		Section 61 (3) ..	In all matters connected with this Act, the Provincial Government shall have and exercise over Board of Revenue, the Commissioner and the Collector, and the Board of Revenue shall have and exercise over the Commissioner and the Collector and the Commissioner shall have and exercise over the Collector, the same authority and control as it or they respectively have and exercise over them in the general and revenue Administration.	
23	The Colonization of Government Land Act, 1912.	Section 17 ..	Subject to any orders that he may receive from the Commissioner, the Collector may allow any tenant to exchange the whole or any part of this tenancy for other land in the colony, and the land so taken in exchange shall, in the absence of any special condition to the contrary recorded in writing by the Collector, be deemed to be held on the same conditions and subject to the same obligations as the surrendered land was held.	
		Section 19 ..	Except as provided in section 17, none of the rights or interests vested in a tenant by or under the Government Tenants (Punjab) Act, 1893, or this Act, shall, without the consent in writing of the Commissioner, or of such officer as he may by written order empower in this behalf, be transferred or charged by any sale, exchange gift, will, mortgage or other private contract, other than a sub-lease for not more than one year in the case of a tenant who has not acquired a right of occupancy and seven years in the case of a tenant who has acquired a right of occupancy. Any such transfer or charge made without such consent in writing shall be avoid, and if (after the commencement of this Act) the transferee has obtained possession, he shall be ejected under the orders of the Collector: Provided that the right of sub-letting conferred by this section shall not release any tenant from a condition requiring him to reside in the estate in which his tenancy is situated.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
23—*concld.*	The Colonization of Government Land Act, 1912—*concld.*	Section 33 ..	If any person, without permission of a Revenue Officer of a grade to be specified by the Provincial Government:— (*a*) clears or breaks up for cultivation, or cultivates any land which is owned by, or is in the possession of the Government and is not included in any tenancy or allotted residential enclosure or which has been set apart for the common purposes of a town or village community or section of the same or for a road, canal or water-course; or (*b*) erects any building on any such land; or (*c*) fells or otherwise destroys standing trees on such land ; or (*d*) otherwise encroaches on any such land; or (*e*) makes an excavation or co nstructs a water channel on any such land he shall, on complaint made by order of or under authority from the Collector, be punished on conviction by any Magistrate with a fine not exceeding Rs. 200.	
		Explanation ..	The felling of trees planted by an owner or tenant on any village rcad or water-course traversing his holding is not an offence under this section.	
	Schedule II (referred to in section 30.)	Section 3 ..	The Government agrees to pay the grantees compensation for all damage occasioned by the exercise of the rights reserved to itself in clauses 1 and 2. Such compensation shall be assessed by the Collector, and if the grantee is not satisfied with the finding of the Collector, he may appeal to the Commissioner.	
		Section 5 ..	In the event of any dispute arising between the Provincial Government and the grantee as to the property and rights hereby reserved, to the Government or as to any matter in any way relating thereto, or as to any of the conditions of the grant, or as to any matter or thing anywise connected	

			therewith, the said dispute shall be referred or the opinion of the Commissioner whose dicision shall be final and conclusive between the Provincial Government and the grantee.	
24	The Punjab Local Option Act, 1923.	Section 6 ..	Notwithstanding anything contained in the Punjab Excise Act, 1914, and the rules made thereunder with regard to the powers and functions of the Collector under the said Act a resolution passed under section 4 or passed and confirmed under section 5 shall be binding upon the Collector of the District in which the local area concerned is situated; Provided that if the Collector is of opinion for reasons to be recorded in writing that within such local area illicit distillation or smuggling of alcohol has been carried on or connived at, within the two years preceding the date of the passing of such resolution, by any of the residents of such local area such resolution shall not be binding upon him, unless the Commissioner orders that it shall be so binding.	
25	The Punjab Debtors' Protection Act, 1936.	Section 6 ..	The Collector when acting under sections 4 and 5 shall be deemed to be acting judicially and shall act in accordance with the provisions of law applicable to the Court from which the proceedings were transferred to him and any party aggrieved by an order of the Collector under section 4 or 5 shall have a right of appeal to the Commissioner who when hearing appeals under this section shall be deemed to be acting judicially and shall act in accordance with the provisions of law applicable to a Civil Court of Appeal.	
26	The Punjab Rehabiltation of Mortgaged Lands Act, 1938.	Section 10 ..	An appeal shall lie from an original or appellate order made under this Act, as follows, namely:— (a) to the Commissioner when the order is made by a Collector; (b) to the Board of Revenue only on a point of law when the order is made by a Commissioener; Provided that when an original order is confirmed on first appeal a further appeal shall not lie.	
27	The Punjab Agricultural Pro-d'uce Markets Act, 1939.	Section 6 (3) ..	Any person aggrieved by an order passed under this section, not being an order of Government, may at any time within one month of the passing thereof, appeal to the Commissioner against such order. Any person aggrieved by an order passed under this section, not being an order of Government, may at any time within one month of the passing thereof, appeal to the Commissioner against such order.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	
38	The Punjab Protection and Restoration of Tennancy Rights Act, 1950.	Section 3 (2D) ..	Where any person wishes to sell any land which has not been secured or retained by him for personal cultivation, he may make an application in writing to the Collector of the District where the land is situate, and the Collector may, after such inquiry as he may consider necessary, either grant the necessary sanction in writing or reject the application.	
		Section 3 (3) ..	On receiving the application of a landlord under sub-section (2) the Revenue Officer shall, if the application is in order and not open to objection on the fact of it, cause a notice to be served on the tennant to show cause why he should not be objected from his tenancy or such portion thereof as is referred to in the application: Provided that on notice under the sub-section shall be served after the 15th day of November in any year.	
		Section 3 (5) ..	The Revenue Officer, after hearing both the parties, if present, on a date fixed for the purpose, and making such further enquiries as he may consider necessary, shall pass an order directing the tenant to be ejected or the notice to be cancelled, as the case may be : Provided that no order for the ejectment of a tenant shall be executed before the first day of May in any year, and in no case shall a tenant be ejected without paying such compensation to him, as he may be entitled to under the law, for the standing crop, if any, or for preparing the land for sowing, if it has been so prepared, as may be determined by the Revenue Officer.	

28	The Punjab Protection and Restorations of Tenancy Rights Act, 1950.	Section 5 (2) ..	On receiving an application under sub-section (1) and on being satisfied after such enquiry as he may consider necessary that the facts mentioned therein are correct the Revenue Officer shall serve an order on the landlord and any other person in possession of the tenancy to restore possession thereof to the applicant immediately; Provided that the tenant to whom the tenancy has been restored shall be liable to pay such compensation to the person evicted for the standing crop, if any, and for preparing the land for sowing, if it has been so prepared, as may be determined by the Revenue Officer on the latter's application in this behalf: Provided further that if the compensation is not paid within one month of the date of the order made by the Revenue Officer in this behalf the tenant to whom the tenancy was restored shall be ejected therefrom and the land shall be restored to the person who was evicted under the orders of the Revenue Officer.	
		Section 6 ..	An order passed by a Revenue Officer of any grade under this Act shall for purposes of appeal, revision and review, be treated as an order of a Revenue Officer of the same grade under the Punjab Tenancy Act, 1887, and shall be subject to the provisionsof the latter Act with respect to appeal, revision and review.	
		Section 8 (4) ..	Subject to the rules under this section, a Revenue Officer may refer any case which he is empowered to dispose of under this Act to another Revenue Officer for investigation and report, and may decide the case upon the report.	
			(ii) SIND CODES	
29	**The Sind Incumbered Estates Act, 1896.**	3 (1) ..	At any time after the commencement of this Act, any jagirdar or zamindar or any person who would be sole heir or one of the heirs to such jagirdar or zamindar if he then died intestated, may apply in writing to the Revenue Commissioner stating that such jagirdar, or zamindar is subject to debts or liabilities, other than debts due, or liabilities, incurred to the State, or that his immoveable property is charged with debts or liabilities other than as aforesaid, and requesting that the provisions of this Act be applied to his case.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
		4 (1) ..	When any such application is made by or on behalf of jagirdar or person who would be his sole heir if he then died, the Revenue Commissioner shall direct an inquiry to be made by such officer, as he thinks fit, into the nature and amount of such debts and liabilities, and the sufficiency of the debtor's property, whether moveable or immoveable, to discharge the same.	
		4 (2) ..	When such an application is made in any other case, shall be in the discretion of the Revenue Commissioner subject to any general rules which may from time to time be made by the Provincial Government in this behalf, either to reject such application or to direct an inquiry to be made as aforesaid.	
		5 (1) .	When the Revenue Commissioner has directed an inquiry under section 4, he may, if he thinks fit, further direct that, until he dismisses the application or appoints an officer under section 7, sub-section (2), clause (*c*)— (*a*) all proceedings then pending in any Civil or Revenue Court or office in the Provinces and the Capital of the Federation, in respect of any of the debts and liabilities to which the debtor is subject , or which are charged on the whole or any part of this immovable property, shall be stayed. and the operation of all processes, executions and attachments then in force for, or in respect of, such debts and liabilities shall be suspended ; and (*b*) no fresh proceedings, processes, executions or attachments shall be instituted in, or issued by, any Civil Court or Revenue Court or office in the Provinces and the Capital of the federation in respect of such debts and liabilities.	

29	The Sind Incumbered Estates Act, 1896—*contd.*	6 (1) ..	When an inquiry has been directed under section 4, the applicant shall within a period to be fixed by the Revenue Commissioner submit to the officer appointed to make such inquiry a statement duly verified by the said applicant or by some other competent person in the manner required by law for the verification of plaints and containing, so far as may be practicable, such details as to the debts and liabilities, and as to the sufficiency of the debtor's property, whether moveable or immovable, to meet the same, as the Revenue Commissioner or the said officer subject to his control, may require.	
		7 (1) ..	The officer so appointed, after making inquiry, shall submit, a report of the proceedings to the Revenue Commissioner.	
		7 (2) ..	On receipt of such report, the Revenue Commissioner may— (*a*) direct a further inquiry; or (*b*) dismiss the application; or (*c*) by order published in the official Gazette appoint an officer (hereinafter called the manager) to manage the immoveable property of the debtor, and to arrange for the liquidation of his debts in manner hereinafter provided.	
		11 (1) ..	From the sums received or recovered under section 10 the manager shall pay— fourthly, such periodical allowances as the Revenue Commissioner may, from time to time, fix for the maintenance of the debtor and his family; fifthly, the cost of such improvements of the said property as he thinks necessary, and are approved by the Revenue Commissioner.	
		17 (1) ..	When the total amount of the debts and liabilities including those due and incurred to the State has been finally determined, the manager shall prepare and submit to the Revenue Commissioner a schedule of such debts and liabilities, and a scheme (hereinafter called the liquidation scheme) showing the mode in which it is proposed to pay and discharge the same, whether from the income of the property under management, or with the aid of funds, raised under the powers hereinafter conferred, or partly in one of such ways and partly in the other.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
29—*contd.*	The Sind Incumbered Estates Act, 1896 (Chapter V).—*contd.*	18 ..	The Revenue Commissioner may— (*a*) as often as he thinks fit send back such scheme to the manager for revision, and direct him to make such further inquiry as may be requisite for the proper preparation of the scheme, or (*b*) sanction any liquidation-scheme or any revised liquidation-scheme submitted to him, either as it stands or subject to such modifications as he may deem expedient.	
		19 (1) ..	At any time before he has sanctioned a liquidation-scheme under section 18, the Revenue Commissioner may, by an order published in the official gazette direct that on a date fixed by such order the management shall be relinquished.	
		19 (2) ..	On the date so fixed— (*a*) the management shall terminate; (*b*) the owner of the property under management shall be restored to the possession thereof, subject to any leases granted under section 10; (*c*) any residue of the rents and profits of the said property retained under section 11, sub-section (2), shall be paid to him; and (*d*) the proceedings, processes, executions and attachments stayed and suspended under section 9, and the debts and liabilities barred by section 14, shall revive.	
		19 (3) ..	In calculating the periods of limitation applicable to suits to recover and enforce debts and liabilities revived under this section, the time during which the management has continued shall be excluded.	

		20	When the Revenue Commissioner sanctions the liquidation-scheme, he shall notify the fact of such sanction at such places and in such manner as the Provincial Government may from time to time by rule direct; and thereupon.	
		20 (1)	All proceedings, processes, executions and attachments stayed or suspended under section 9 shall be for ever barred, and	
		20 (2)	Every debt or liability due or owing to any person which was provable before the manager shall be extinguished; and such person shall be entitled to receive under the liquidation-scheme the amount (if any) finally awarded to him under Chapter IV in respect of such debt or liability.	
		22 (1)	If the property under management or any part thereof is in the possession of any person claiming to hold under a lease, the manager with the sanction of the Revenue Commissioner may inquire into the sufficiency of the consideration for which the lease was granted and if such consideration appears to him in sufficient, may by written order, at any time after the liquidation-scheme has been sanction as aforesaid, either set aside the lease, or require the person so in possession to pay such consideration for the said lease as the Manager thinks fit: and, in default of such payment, the lease shall be cancelled.	
		24	At any time after the liquidation-scheme has been sanctioned as aforesaid the manager, with the previous assent of the Revenue Commissioner shall have power to raise any money which may be required for carrying out such scheme— (*a*) by demising by way of mortgage the whole or any part of the property under management for a term not exceeding twenty years from the publication of the order of management; or (*b*) by selling, by public auction or by private contract, and upon such term as the manager thinks fit, such portion of the said property as may appear expedient; or (*c*) by borrowing money at such rate of interest as appears reasonable to the Provincial Government.	
		29	When a jagirdar or zamindar has been restored under section 27, sub-section (2), to the possession of any property, no mortgage, charge, lease or alienation of such property, or of any part thereof, made or granted by such jagirdar or zamindar shall be valid as to any time beyond his natural life unless made or granted with the previous sanction of the Revenue Commissioner,	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
29—*contd.*	The Sind Incumbered Estates Act, 1896 (Chapter VI).		or in the case of a loan granted under the Land Improvement Loans Act, 1883, or the Agriculturists' Loans Act, 1884, with the previous sanction of the officer granting such loan.	
		30	Notwithstanding anything contained in this Act, the Revenue Commissioner may, at any time after he has, whether before or after the comencement of this Act, sanctioned the liquidation-scheme, revise and modify the same, but not so as to affect the right of any person to receive in full before the termination of the management the amount finally awarded to him under Chapter IV.	
		31 (1)	An appeal against any decision or order under sections 14, 15, 16 and 22 and imposing a fine or imprisonment in exercise of powers conferred by section 37, shall lie to the Revenue Commissioner, if preferred within six weeks from the date of such decision or order.	
		31 (2)	There will be no appeal against the decision of the Commissioner on such appeal.	
	The Sind Incumbered Estates Act 1896 (Chapter VII).	33 (1)	Revenue Commissioner with the previous sanction of the Provincial Government may, from time to time, make rules consistent with this Act :— (*a*) to regulate the security to be required from subordinate officers under this Act ; (*b*) to regulate the procedure in all cases under this Act ; (*c*) for the guidance of officers inquiring into and determining on claims under Chapter IV ; and in particular as to the allowance of interest (if any) on each of the principal debts and liabilities so determined, from the date on which it was incurred down to the date of the determination, and on the aggregate amount	

			of such debts and liabilities, from the date of the determination down to the date of payment, and as to the order of paying debts and liabilities and repaying any loan received hereunder ; (*d*) for investing any moneys received or raised by the manager under this Act in any Government securities of the Provinces and the Capital of the Federation, and for the sale of such securities ; and (*e*) generally to carry out the provisions of this Act.	
		34 ..	Whenever the Revenue Commissioner thinks fit, he may suspend or remove any manager, and may appoint any officer instead of any manager appointed under this Act ; and thereupon the management then vested under this Act in the former manager shall become vested in the new manager, and the new manager shall have the same powers as if he had been originally appointed.	
30	The Sind Abkari Act, 1878 ..	3 (2) ..	"Abkari-Officer" means a Commissioner, Collector or any officer or other person lawfully appointed, or invested with powers under section 6.	
		3 (3) ..	"Commissioner" includes an officer appointed by the Provincial Government to be Commissioner for the purposes of this Act.	
		4 ..	Subject to such orders as the Provincial Government or the Commissioner may from time to time make under section 8-A the Collectors are charged with the collection of the Abkari-Revenue, and with the carrying out of the provisions of this Act.	
		6 ..	The Provincial Government or the Commissioners may invest any servant of the State in any department either personally or in right of his office, or any other person, with such powers, and imposed upon him such duties, under this Act as they deem fit, and any such officer shall thereupon exercise the said powers and discharge the said duties in addition to the powers and duties incident to his principal office: Provided that powers under sections 36 and 40, clause (*b*), shall in no case be conferred on any officer of any department who is not superior in rank to a peon, or constable and that any assignment of, or investment with, powers or duties made under this section may at any time be cancelled or varied by the authority which made it.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
30—*contd.*	The Sind Abkari Act, 1878—*contd.*	8 ..	The powers conferred on the Commissioners by section 6 may be delegated by them in whole or in part, to the Collectors, or to any Collector subordinate to them and any such delegation may be at any time cancelled by the Commissioners.	
		8-A ..	All Abkari Officers shall exercise the poewrs and perform the duties conferred and imposed on them by or under this Act in accordance with such orders as in the case of the Commissioner, the Provincial Government and in the case of other Abkari Officer, the Provincial Government or the Commissioner may from time to time make.	
		13 ..	Passes for the import, export of transport or intoxicants or hemp may be issued by the Collector or by any other Akbari officer duly empowered in this behalf. Such passes may be either general for definite periods of time and definite kinds of intoxicants or special for specified occasions and particular consignments only. Every such pass shall specify— (*a*) the name of the person authorised to import, export or transport intoxicants or hemp; (*b*) the period for which the pass is to be in force; (*c*) the quantity and description of intoxicants or hemp for which it is granted ; and (*d*) the places from and to which intoxicants or hemp are to be imported, exported or transported, and in the case of places more than ten miles apart, the route by which they are to be conveyed.	

		14 (1) ..	Save as hereinafter otherwise provided— (*a*) no intoxicant shall be manufactured ; (*b*) no hemp shall be cultivated or collected ; (*c*) no toddy producting tree shall be tapped ; (*d*) no toddy shall be drawn from any tree; (*e*) no foreign liquor shall be bottled ; and (*f*) no person shall use, keep or have in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any intoxicant other than toddy, except under the authority and subject to the conditions of licence granted in that behalf by the Collector.	
		14 (2) ..	No distillery or brewery shall be constructed or worked except under the authority and subject to the conditions of a licence granted in that behalf by the Commissioner under section 15.	
		15 ..	The Commissioner may— (*a*) establish a distillery in which spirit may be manufactured in accordance with a licence granted under section 14 on such conditions as the Provincial Government deem fit to impose ; (*b*) discontinue any distillery so established ; (*c*) license on such conditions as the Provincial Government deem fit to impose the construction and working of a distillery or brewery ; (*d*) establish or license a warehouse wherein any intoxicants or hemp may be deposited and kept without payment of duty ; and (*e*) discontinue any warehouse so established.	
		16 (1) ..	Except as is hereinafter otherwise provided, no intoxicant or hemp shall be sold without a licence from the Collector.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
30—*contd.*	The Sind Abkari Act, 1878—*contd.*	16 (3) ..	On such conditions as the Commissioner may determine a licence for sale under the excise law for the time being in force in other parts of Pakistan may be deemed to be a licence granted in that behalf under this Act.	
		17 (2) ..	When any such limit of quantity has been prescribed for the retail sale of any intoxicant or hemp, no quantity in excess of such limit shall be sold by retail to any one person at one time or to any one person in the aggregate on any one day : Provided that the Collector or any Abkari Officer duly empowered in this behalf may, subject to any rules that may be made under section 35-A, give special orders for the occasional sale by retail of any intoxicant or hemp in quantities exceeding such limits.	
		19-A ..	Subject to any rules to regulate the time, place and manner of payment made by the Commissioner in this behalf, the duty referred to in the foregoing section may be levied in one or more of the following ways :— (*a*) in the case of excisable articles imported in accordance with the provisions of sub-section (1) of section 9— (*i*) by payment either in the province of import or in the province or territory of export ; or (*ii*) by payment upon issue for sale from a warehouse established or licensed under section 15 ; (*b*) in the case of excisable articles exported in accordance with the provisions of section 10, by payment either in the province of export or in the Province or territory of import ; (*c*) in the case of exciseable articles transported in accordance with the provisions of section 10— (*i*) by payment in the district from which they are transported ;	

			(*ii*) by payment upon issue for sale from warehouse established or licensed under section 15; (*d*) in the case of spirit or bear manufactured in any distillery established or any distillery or brewery licensed under section 15— (*i*) by a rate charged upon the quantity produced in or issued from the distillery or brewery, as the case may be, or issued from a warehouse established or licensed under section 15; or (*ii*) by a rate charged in accordance with such sale of equivalents, calculated on the quantity of materials used the degree of attenuation of the wash or wort, as the case may be, as the Provincial Government may prescribe: (*e*) in the case of intoxicating drugs manufactured in accordance with the provisions of section 14, by payment upon the quantity produced or manufactured in accordance with the provisions of section 14 or issued from a warehouse establihsed or licensed under section 15: Provided that where payment is made upon issue for sale from a warehouse established or licensed under section 15 such payment shall be at the rate of the duty in force at the date of issue from the warehouse: Provided further that where one and the same person is permitted— (*i*) to manufacture or import and to sell, or (*ii*) to manufacture and export country liquor or any intoxicating drug. such duty may be levied in consideration of the joint privileges granted as the Collector deems fit.	
		30 ..	Every licence, permit or pass granted under this Act shall be granted on payment of such fees, if any, and subject such to restrictions, and on such conditions and shall be in such form and contain such particulars, and may, in case any fee or duty payable by the holder be not duly paid, impose liability for interest thereon at such rate, as the Provincial Government in the case of licences and the Commissioner in the case of permits and passes may direct in rules or orders made either generally or in any particular instance in this behalf, such rules or orders being not inconsistent with this Act.	
		32-A (2) ..	When a licence is cancelled under sub-section (1) the authority cancelling the licence shall pay to the licensee a sum equal to the amount of the fees payable in respect thereof for fifteen days and such further sum in compensation as the Commissioner may direct.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
30—*contd.*	The Sind Abkari Act, 1878—*contd.*	35-A ..	The Commissioner may make rules— (*a*) regulating the manufacture, supply or storage of any intoxicant or hemp including— (*i*) the erection, inspection, supervision, management and control of any place for the manufacture, supply or storage of such articles or hemp, and the fittings, implements and apparatus to be maintained therein; (*ii*) the cultivation of hemp and collection of the spontaneous growth of such plant and the preparation of any intoxicating drug from such growth; (*iii*) the tapping of toddy producing trees and the drawing of toddy from such trees; (*iv*) the bottling of foreign liquor; (*b*) regulating the deposit of any intoxicant or hemp in a warehouse and the removal of such article from any such warehouse or from any distillery or brewery; (*c*) prescribing in the case of any intoxicants the way in which the duty on such article shall be levied; (*d*) prescribing the scale of fees or the manner of fixing the fees payable in respect of any privilege licence, permit or pass or of the storing of any intoxicant or hemp; (*e*) regulating the time, place and manner of payment of any duty or fee; (*f*) prescribing the restriction under and the conditions on which any licence, permit or pass may be granted, including— (*i*) the prohibition of the admixture with any intoxicant of any substance deemed to be noxious or objectionable;	

			(ii) the fixing of the strength, price or quantity in excess of or below which any intoxicant shall not be sold or supplied, and the quantity in excess of which denatured spirit shall not be possessed, and the prescription of a standard of quality for an intoxicant; (iii) the prohibition of sale except for cash ; (iv) the prescription of the days and hours during which any licensed premises may or may not be kept open and provision for the closure of such premises on special occasions ; (v) the prescription of the nature of the premises on which any intoxicant may be sold and the notices to be exposed at such premises ; (vi) the prescription of the accounts to be maintained and the returns to be submitted by licence-holders ; (vii) the regulation or prohibition of the transfer of licences ; (g) (i) declaring the process by which spirits shall be denatured in the areas to which this Act extends ; (ii) for causing such spirits to be denatured through the agency or under the supervision of servants of the Crown ; (iii) for ascertaining whether such spirits have been denatured; (h) providing for the destruction or other disposal of any intoxicant deemed to be unfit for use ; (i) regulating the disposal of confiscated articles ; (j) prescribing the occasions on which special orders may be granted under section 17 for the sale by retail of larger quantities of country liquor or intoxicating drugs than are prescribed in any notification issued under the said section, and the conditions on which such sales may be made; (k) prescribing the amount of security to be deposited by the holder of any licence, permit or pass for the performance of the conditions for the same.	
		Section 36 ..	Any Commissioner or Collector or other Abkari Officer duly empowered in this behalf, may— (a) enter and inspect at any time by day or by night any land on which toddy producing trees are growing whether such trees are licensed for tapping or not, and any warehouse shop or pre-	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	
30—*contd.*	The Sind Abkari Act, 1878. .. *contd.*	Section 36—*concld.* ..	mises in which any licensed manufacturer or vendor carries on the manufacture or sales of any intoxicant or hemp or draws toddy, or stores any intoxicant or hemp and examine, test, measure or weigh any such person's stock of any intoxicant or hemp or materials ; or (b) enter, at any time by day or by night, any building vessels, vehicles or enclosed place in which he has reason to believe that any intoxicant or hemp liable to confiscation under this Act is manufactured, kept or concealed or that toddy is drawn, or that any still, untensil, implement or apparatus is used, kept or concealed for the purpose of manufacturing any intoxicant contrary to the provisions of this Act ; and (c) in case of resistance, break open any door and remove any other obstacle to his entry into any such shop, premises building vessel, vehicle or other place ; and (d) seize any intoxicant or hemp and any material used in the manufacture thereof, and any still utensil, implement or apparatus, and any other thing which he has reason to believe to be liable to confiscation under this Act, or under any other law for the time being in force relating to Abkari Revenue ; and (e) detain and search and, if he think proper, arrrest any person whom he has reason to believe to be guilty of any offence under this or any other law for the time being in force relating to Abkari Revenue.	
		Section 37 ..	Any Commissioner or Collector, or other Abkari Officer duly empowered in this behalf, may— (a) seize in any open place or in transit, any intoxicant hemp or any other thing which he has reason to believe to be liable to confiscation under this or any other law for the time being inforce relating to Abkari Revenue,	

			(*b*) detain and search any person whom he has reason to believe to be guilty of any offence against this or any other such law and if such person has any intoxicant hemp of othe g in his possession in arrest him.	
		Section 38-A ..	Any Commissioner or Collector or Abkari Officer duly empowered in this behalf may arrest without an order from a Magistrate and without warrant any person who obstructs him in the execution of his duty under this Act or who has escaped or attempts to escape from custody in which he has been or is lawfully detained under this Act.	
		Section 40 ..	Any Commissioner, or Collector or other Abkari Officer duly empowered in this behalf, or a Magistrate, may issue a warrant— (*a*) for the arrest of any person whom he has reason to believe to have committed an offence against this or any other law relating to Abkari-revenue for the time being in force, or (*b*) for the search, whether by day or by night, of any building, vessel or place in which he has reason to believe that any intoxicant or hemp is manufactured or sold, or that any toddy is drawn contrary to the provisions of this Act, or that any intoxicant or hemp or other thing liable to confiscation under this or any other law for the time being in force relating to Abkari revenue is kept or concealed. All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure, by a Police Officer or by an Abkari officer duly empowered in this behalf, or if the officer issuing the warrant deems fit, by any other person.	
		Section 55-A ..	Any Commissioner or Collector, or any Abkari Officer specially empowered by the Provincial Government in this behalf, may accept from any person whose licence, permit or pass is liable to be cancelled or suspended under clause (*a*) or clause (*b*) of section 32, or who is reasonably suspected of having committed an offence under sections 43, 44, 45, 45-A or 46, a sum of money in lieu of such concellation or suspension or by way of composition for the offence which may have been committed, as the case may be; and in all cases whatsoever in which any property other than an intoxicant or hemp has been seized as liable to confiscation under this Act may release the same on payment of the value thereof as estimated by such officer;	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
31—*contd.*	The Sind Land Revenue Code 1879—*contd.*		When a definied portion of a taluka is placed in charge of a Mahalkari, such portion shall be called a mahal.	
		Section 14 ..	It shall be competent to a Makhtiarkar or Mahalkari subject to such general orders as may from time to time be passed by the Revenue Commissioner or by the Collector, to employ any of his subordinate to perform any portion of his ministerial duties: provided that all acts and orders of his subordinates when so employed shall be liable to revision and confirmation by such Mukhtiarkar or Mahalkari.	
		Section 17 ..	Subject to the general orders of the Provincial Government and of the Revenue Commissioner the Collector shall prescribe from time to time what registers, accounts, and other records shall be kept by the Tapedar. It shall also be the duty of the Tapedar to prepare, whenever called upon by any superior Revenue or Police officer of the taluka or district to do so, all writings connected with the concerns of the village which are required either for the use of the Central or the Provincial Government or the public, such as notices, reports of inquests, and depositions and examinations in criminal matters.	
		Section 37 (1) ..	All public roads,lanes and paths, the bridges, ditches, dikes and fences, on, or beside, the same, the bed of the sea and of harbours and creeks below high-water-mark, and of rivers, streams, nallas, lakes, and tanks, and all canals, and water-courses, and all standing and flowing water, and all lands wherever situated, which are not the property individuals, or of aggregates of persons legally capable of holding property, and except in so far as any rights of such persons may be established in or over the same, and except as may be otherwise provided in any law for the time being in force are and are hereby declared to be with all rights in or over the same, or appertaining thereto, the property of the State and it shall be lawful for the Collector subject to the orders of the Revenue Commissioner to dispose of them in such manner as he may deem fit, or as may be authorised by general rules sanctioned by the Government concerned, subject always to the rights of way and all other rights of the public or of individuals legally subsisting.	

		Section 39 ..	The right of grazing on free pasturage-lands shall extend only to the cattle of the village or villages to which such lands belong or have been assigned, and shall be regulated by rules to be from time to time, either generally or in any particular instance prescribed by the Collector with the sanction of the Revenue Commissioner. The Collector's decision in any case of dispute as to the said right of grazing shall be conclusive.	
		Section 49 ..	When it has been customary to levy any special or extra cess, fine, or tax, however designated from any holder of land which, though nominally, wholly or partially exempt from the payment of land revenue, has by the exaction of such cess, fine or tax been indirectly taxed to the State, or when any land ordinarily or under certain circumstances wholly or partially exempt from assessment, is subject occasionally, or under particular circumstances, to the payment of assessment or of any cess or tax however designated, the said assessment, cess, fine or tax may be commuted into an annual assessment on the land to be paid under all circumstances but such commuted assessment shall not exceed such amount as the Revenue Commissioner shall deem to be a fair equivalent of the assessment, cess, fine or tax for which it is substituted and shall not be in excess of the assessment to which the land would be ordinarily subject, if no right to exemption existed in respect thereof.	
		Section 82 ..	It shall be lawful for the Provincial Government by notification in the official Gazette from time to time; (*a*) to suspend the operation of section 60 or 74 or of both within any prescribed local area, either generally, or in respect of cultivators or occupants of a particular class or classes, and (*b*) to cancel any such notification. During the period for which any notification under the above clause (*a*) is in force within any local area, such rules shall be substituted for the provisions of which the operation is suspended as the Revenue Commissioner shall from time to time direct.	
		Section 88 ..	It shall be lawful for the Revenue Commissioner at any time to issue a commission to any holder of alienated lands conferring upon him all or any of the following powers in respect of the lands specified in such commission (namely)— (*a*) to demand security for the payment of the land revenue or rent due to him, and if the same be not furnished, to take such precautions as the Collector is authorised to take under sections 141 to 143 ; (*b*) to attach the property of persons making default in the payment of such land revenue or rent, as aforesaid ; (*c*) to fix from time to time the times at which, and the instalments in which, the land revenue or rent due to him shall be payable ; (*d*) to exercise the powers of a Collector under sections 65 and 66 ;	

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
31—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 88—*contd.*	(*e*) to receive notices of relinquishment under section 65 and 66 ; (*f*) to take measures for the maintenance and repair of boundary marks in the manner provided for survey in section 122: Provided that the powers contemplated in clauses (*c*) to (*f*) shall be conferred only on holders of lands to which a survey settlement has been extended under the provisions of section 216. Every such commission shall be in the form of Schedule F and shall be be liable to be withdrawn at the pleasure of the Revenue Commissioner; and a commission may, if the Revenue Commissioner see fit, be issued to one or more agents af a holder of alienated lands as well as to the holder in person.	
		Section 152 ..	A notice of demand may be issued on or after the day following that on which the arrear accrues. The Revenue Commissioner may from time to time frame rules for the issue of such notices, and with the sanction of the Provincial Government shall fix the costs recoverable from the defaulter as an arrear of revenue and direct by what officer such notices shall be issued.	
		Section 158 ..	The Revenue Commissioner may, with the sanction of the Provincial Government, from time to time, declare by what officers, or class of officers, the powers of arrest conferred by section 157 may be exercised, and also fix the costs of arrest and the amount of subsistence money to be paid by the Provincial Government to any defaulter under detention or imprisonment.	
		Section 159 ..	If the holding, in respect of which an arrear is due, consists of an entire village, or of a share of a village, and the adoption of any of the other processes before specified is demand inexpedient, the Collector may, with the previous sanction of the Revenue Commissioner cause such village or share of a village to be attached and taken under the management of himself or any agent whom he appoints for that purpose.	

		Section 183 ..	When any sale of movable property under this chapter has become absolute, and when any sale of immovable property has been confirmed, the proceeds of the sale shall be applied to defraying the expenses of the sale and to the payment of any arrears due by the defaulter at the date of the confirmation of such sale, and recoverable as an arrear of land revenue, and the surplus (if any) shall be paid to the person whose property has been sold. The expenses of the sale shall be estimated at such rates and according to such rules as may from time to time be sanctioned by the Revenue Commissioner under the orders of the Provincial Government.	
		Section 204 ..	An appeal shall lie to the Provincial Government from any decision or order passed by a Revenue Commissioner or by a Survey Commissioner, except in the case of any decision or order passed by such officer on appeal from a decision or order itself recorded in appeal by any officer subordinate to him	
		Section 216 (1A) ..	Notwithstanding anything contained in this Act, the Revenue Commissioner for Sind shall within a period of three years from the date of the commencement of the Sind Land Revenue Code (Amendment) Act, 1941, extend the whole of Chapters VIII and IX or such of the provisions thereof as may be applicable to all culturable alienated lands or villages commanded by irrigation canals.	
		Section 216 (1B) ..	Subject to the provisions of sub-section (1A) and notwithstanding anything contained in this Act, the Revenue Commissioner for Sind may at any time extend the whole or any part of Chapters VIII and IX to any alienated land or village other than those mentioned in sub-section (1A).	
32	The Sind Irrigation Act, 1879..	Section 11 ..	Suitable means of crossing canals shall be provided at such places as the Provincial Government or the Revenue Commissioner if empowered by the Provincial Government in this behalf thinks necessary for the reasonable convenience of the inhabitants of the adjacent land; and suitable bridges, culverts or other works shall be constructed to prevent the drainage of the adjacent land being obstructed by any canal.	
		Section 57 ..	Every water rate leviable under this Act shall be payable in such instalments and on such dates and to such officers as shall from time to time be determined under the orders of the Provincial Government or of the Revenue Commissioner empowered by the Provincial Government in this behalf. Any such rate, or instalment of the same which is not paid on the day when it becomes due, and any sum due to the Provincial Government or to a Canal Officer whether on behalf of the Provincial Government or of any person under Part III which is not paid when demanded, shall be recoverable according to law and under the rules for the time being in force for the recovery of arrears of land revenue.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
32—*contd.*	The Sind Irrigation Act, 1879—*contd.*	Section 57—*concld.*	Rent payable to the owner of a water-course by a person authorised to use such water course shall be payable in such instalments and on such dates as the Canal officer duly empowered to act under section 23 shall direct, and may be recovered on behalf of the owner according to the law and rules aforeasaid : Provided always that not more shall at any time be payable to the owner than is actually recovered from the said person.	
		Section 60 ..	All orders made under section 58 shall be immediately reported to the Collector for the information of the Revenue Commissioner and likewise to the Chief Engineer for Irrigation, for the information of the Provincial Government.	
		Section 92 (6) ..	Any person aggreived by an order of a Canal Officer under sub-section (4) as to the apportionment of the cost of construction of a water-course may present a petition to the Collector requesting him to revise that order, and the Collector after such inquiry as he thinks necessary and after giving the person concerned a reasonable opportunity of being heard may pass orders as he thinks fit. The orders passed by the Collector shall, subject to revision by the Revenue Commissioner be final and conclusive unless modified by a Civil Court of competent jurisdiction.	
		Section 92 A (3) ..	The provisions of sub-section (6) of section 92 shall apply *mutatis mutandis* to an order of the Canal Officer as to the revision under subsection (1) of the sum due except that the order of the Collector shall be subject only to revision by the Revenue Commissioner for Sind and shall not be called into question on any ground whatever in any Civil Court.	

33	The Sind Court of Wards Act, 1905.	Section 3	Subject to the provisions of section 12, the Revenue Commissioner shall be the Court of Wards for the limits of his Division ; Provided that tee Provincial Government may, if it thinks fit, by notification in the Official Gazette— (a) appoint a special officer to be the Court of Wards for a division in lieu of the Revenue Commissioner ; or (b) constitute a Board consisting of the Revenue Commissioner and any other officer or officers to be the Court of Wards for a division ;
		Section 4(1) ..	The Court of Wards may, with the previous sanction of the Provincial Government assume the superintendence of the property of any land holder holding land or of any pension holder receiving a pension within the local limits of its jurisdiction who is disqualified to manage his own property : Provided that in the case of a land holder or pension holder disqualified under clause (b) or (c) of sub-section (1) of section 5 such assumption shall be sanctioned only where the Provincial Government is of opinion that it is expedient in the public interests to preserve the property of such land holder or pension holder for the benefit of his family, and that the said property is of such value that economical management by the Court of Wards is practicable.
		Section 5 (1) ..	The following land-holders or pension-holders, shall for the purposes of section 4, be deemed to be disqualified to manage their own property namely— (b) females declared by the District Court, on the application of the Collector and after such judicial inquiry as it thinks necessary to be unfitted to manage their own property ; (c) a person registered as a member of a criminal tribe under the Criminal Tribes Act, 1924, in respect of whom the Deputy Commissioner, Criminal Tribes has issued a certificate, at his request, that he is unable to manage his property.
		Section 6 ..	Where any servant of the State is appointed or declared to be guardian of the property, or of the person and property, of a minor under section 7 Sub-section (1) of the Guardian and Wards Act, 1890, he shall intimate the fact to the court of Wards, and the Court of Wards may there upon with the previous sanction of the Provincial Government assume the super-intendence of the property or of the person and property, of such minor.
		Section 8 (1) ..	The Court of Wards shall not assume under section 4 sub-section (1) the superintendence of the property of any family which is undivided according to Hindu Law, except where all theco-sharers are disqualified under sub-section (1) of section 5 or where all the co-sharers other than those who are disqualified under sub-section (1) of the section 5 agree to the Court of Wards assuming such superintendence.

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
33—*contd.*	The Sind Court of Wards Act, 1905—*contd.*	Section 8 (2) ..	Where two or more land-holders or pension holders are co-sharers otherwise than as co-sharers in a family which is undivided according to Hindu Law and one of such co-sharer is disqualified under sub-section (1) of section 5, the Court of Wards may assume the superintendence of the undivided share of such disqualified land-holder or pension holder or may obtain partition on behalf of the disqualified land-holder or pension-holder by suit or otherwise, and assume the superintendence of the property allotted to such land-holders or pension-holder in the partition.	
		Section 9(1) ..	Any land-holder or pension-holder may apply in writing to the Provincial Government to have his property placed under the superintendence of the Court of Wards, and the Provincial Government may on such application where it is of opinion that it is expedient in the public interests, to preserve the property of such land-holder or pension-holder for the benefit of his family and that the said property is to such value that economical management by the Court of Wards is practicable, order the Court of Wards to assume the superintendence of the property.	
		Section 9(3) ..	An order made under sub-section (1) shall be sufficient to authorise the Court of Wards to assume the superintendence of the property referred to therein, and no such order shall be called in question in any court.	
		Section 10 (1) ..	Whenever the Collector received information that any land-holder or pension-holder is or should be disqualified under sub-section (1) of section 5 or that any land-holder or pension-holder has died and that his heir is, or should be, so disqualified, he may apply to District Court and the District Court may authorise the Court of Wards to — (a) take such steps and make such order for the temporary custody and protection of the property as the Court of Wards thinks fit ; and (b) where the land-holder or pension-holder or heir is a minor, direct that the person if any having the custody of the minor shall produce him or cause him to be produced at such place and time and before such person as the Court of Wards may appoint and make such order for the temporary custody and protection of the minor as the Court of Wards thinks fit :	

			Provided that, where the minor is a female and belongs to a class the females of which do not usually appear in public, her production shall be required only in accordance with the manner and customs of the country.	
		Section 10 (2) ..	Whenever the Court of Wards is authorised to proceed under sub-section (1) it shall forthwith report its action for the information of the Provincial Government.	
		Section 10(3) ..	No appeal shall lie from any order of authorization under sub-section (1) except in the case of a land-holder or pension-holder disqualified under section 5, sub-section (1), clause (*a*).	
		Section 11 ..	Where the Court of Wards assumes the superintendence of the property of any land-holder or pension-holder disqualified under clause (*a*) or (*d*) of section 5, sub-section (1) it may, with the previous sanction of the Provincial Government, assume the superintendence of his person also : Provided that nothing in this section shall authorize the Court of Wards to assume the superintendence of the person of a female who is married and is in the custody of her husband.	
		Section 12 ..	Where a disqualified land-holder or pension-holder or a land-holder or pension-holder who has been made a Government ward in pursuance of an order under section 9, sub-section (1)holds land or receives a pension within the territorial jurisdiction of two or more Courts of Wards such one only of the Court of Wards as the Provincial Government may determine in this behalf shall assume the superintendence of the property or of the person and property, of the land-holder or pension-holder.	
		Section 13 (1) ..	Whenever the Court of Wards assumes the superintendence of the property of any land-holder or pension-holder under this Act, the act of such assumption, and the date on which it was sanctioned by the Provincial Government shall be notified in the official Gazette and in such other manner as the Provincial Government may, by general or special order, direct.	
		Section 13 (2) ..	On and with effect from the date of such sanction. the whole of the property, movable and immovable, of such land-holder or pension-holder whether the existence of any such property is known to the Court of Wards or not, shall be deemed to be under the superintendence of the Court of Wards.	
		Section 13 (3) ..	Any property which the Government ward may inherit or acquire by succession subsequently to the date of such sanction shall also be deemed to be under the superintendence of the Court of Wards.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
33—*contd.*	The Sind Court of Wards Act 1905—*contd.*	Section 13 (4) ..	The Court of Wards may, in its discretion, assume, or refrain from assuming, the superintendence of any property which the Government ward may acquire otherwise than by inheritence or succession subsequently to the date of such notification.	
		Section 14 (1) ..	On the issue of a notification under section 13, sub-section (1) the Court of Wards shall publish in the Official Gazette and in such other manner as the Provincial Government may, by general or special order, direct,a notice, in English and also in the vernacular, calling upon all persons having claims against the Government ward or his property to submit the same in writing to it within six months from the date of the Publication of the notice.	
		Section 14 (2) ..	Where the Court of Wards is satisfied that any claimant was unable to comply with the notice published under sub-section (1), it may allow his claim to be submitted at any time after the date of the expiry of the period fixed therein; but any such claim shall, notwithstanding any law, contract, decree or award to the contrary, cease to carry interest from the date of the expiry of such period until submission.	
		Section 14 (3) ..	Every claim against the Government ward or his property other than a claim on the part of the state not submitted to the Court of Wards in compliance with the notice published under sub-section (1), or allowed to be submitted under sub-section (2) shall, save in the cases provided for by section 18, sub-section (2) clause (c), and by sections 7 and 13 of the Limitation Act, 1877, be deemed for all purposes and on all occasions, whether during the continuance of the superintendence or afterwards, to have been duly discharged, unless, in any suit or proceeding instituted by the claimant, or by any person claiming under him, in respect of any such claim, it is proved to the satisfaction of the Court that he was unable to comply with the notice published under sub-section (1).	

		Section 15 (1) ..	The Court of Wards may by written order require that any claimant submitting his claim shall, within such reasonable time as it may prescribe in such order, furnish full particulars thereof and produce all documents including entries in books of account on which he relies to support his claim, together with a true copy of every such document : Provided that, where the claim relates to an amount secured by a decree or award, it shall be sufficient for the claimant to produce before the Court of Wards, a certified copy of the decree and a certificate from the Court which passed or is executing the same declaring the amount recoverable thereunder, or a true copy of the award and statement of the sum recoverable thereunder, as the case may be, and where the claim is pending adjudication in any Court or has been referred to arbitration, it shall be sufficient for the claimant to produce a certified copy of the plaint, or a true copy of the reference to aribitration, as the case may be.	
		Section 15 (2) ..	The Court of Wards shall, after marking for the purpose of identification, every original document so produced and verifying the correctness of the copy, retain the copy and return the original to the claimant.	
		Section 15(3) ..	Where any document, which is in the possession or under the control of a claimant, is not produced by him in accordance with an order under sub-section (1) the document shall not be admissible in evidence against the Government ward, whether during the continuance of the superintendence or afterwards, in any suit brought by such claimant, or by an person claiming under him, in respect of any claim to which such document relates, unless it is proved to the satisfaction of the Court that he was unable to produce such document as required by such order.	
		Section 16 (1) ..	On receipt of all claims submitted in compliance with the provisions of sections 14 and 15, the Court of Wards shall proceed to investigate such claims and shall decide, subject to the provisions of sub-section (3), which of them are to be wholly or partly admitted or wholly or partly rejected, as the case may be, and shall communicate its decision in writing to each claimant concerned.	
		Section 16(2) ..	Where the Court of Wards has admitted any claim under sub-section (1) it may make to the claimant a proposal in writing for the reduction of the claim, or of the rate of interest to be paid in future, or of both and if such proposal, or any modification of it, is accepted by the claimant, and his acceptance is finally recorded and attested by the Court of Wards or by any Revenue Officer not below the rank of an Assistant or Deputy Collector whom the Provincial Government may, by general or special order, appoint in this behalf, it shall be conclusively binding upon the claimant : Provided that if, when the superintendence of the property by the Court of Wards is withdrawn, any portion of the claim reduced as aforesaid is still unsatisfied, the claimant shall be entitled to recover a sum bearing the same proportion to the original claim admitted under sub-section (1) as the unsatisfied portion bears to the reduced claim.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
33—*contd.*	The Sind court of Wards Act, 1905—*contd.*	Section 16 (3) ..	Subject to the provisions of sub-section (2) nothing in this section shall be construed to bar the institution of a suit in a Civil Court for the recovery of a claim against a Government Ward or his property which has been duly submitted to the Court of Wards : Provided that no decision of the Court of Wards under this section shall be proved in any such suit as against the defendant.	
		Section 17 (1) ..	On the publication of a notice under section 14, sub-section (1) no proceeding in execution of any decree against the Government ward or his property shall be instituted or continued until the decree-holder files a certificate from the Court of Wards that the decree claim has been duly submitted or until the expiration of one month from the date of receipt by the Court of Wards of a written application for such certificate accompanied by a certified copy of a decree.	
		Section 19 (1) ..	With the general or special sanction of the Provincial Government the Court of Wards may, from time to time, delegate all or any of its powers to the Collector of any district in which any part of the property of a Government ward is situated, or to any other officer not below the rank of an Assistant or Deputy Collector whom it may appoint in this behalf, and may, at any time, with the like sanction, revoke such delegation.	
		Section 19(2) ..	Subject to any general or special orders of the Provincial Government, the Court of Wards may exercise all or any of the powers conferred on it by this Act through the Collector of any district in which any part of the property of a Government ward is situated, or through any other officer not below the rank of an Assistant or Deputy Collector whom it may appoint in this behalf, and subject to the like orders, any such Collector or Assistant or Deputy Collector may exercise all or any of the powers delegated to him under this Act through any Revenue Officer subordinate to him not below the rank of a Mahalkari.	

		Section 20 ..	The Court of Wards may appoint a manager of the property of any Government ward under its superintendence.	
		Section 21 (1) ..	Every manager appointed by the Court of Wards shall— (a) give such security, with such sureties (if any) as the Court of Wards thinks fit for the due discharge of the trusts of his office, and for the due account of all property and moneys which come into his control of possession by reason of his office; (b) be entitled to such allowance as the Court of Wards thinks fit for his care and pains in the execution of his duties ; and (c) be responsible for any loss occasioned to the property under his management by his wilful default or gross negligence; and every such loss shall be recoverable from him and from his sureties (if any) as an arrear of land-revenue.	
		Section 22(1) ..	The Court of Wards may appoint guardians for the care of the persons of Government wards whose persons are, for the time being, under its superintendence.	
		Section 22(2) ..	In appointing a guardian under this section, the Court of Wards shall be guided by the provisions of the Guardians and Wards Act, 1890.	
		Section 23 ..	Subject to the provisions of this Act and of any rules thereunder, the Court of Wards— (a) may, of itself or through the manager (if any) appointed by it under this Act, do all such things requisite for the proper care and management of any property of which it assumes the superintendence under this Act, as the owner of the property, if it was not under the superintendence of the Court of Wards, might do for its proper care and management ; and (b) may, of itself or through the guardian (if any) appointed by it under this Act, do, in respect of the person of any Government ward whose person is, for the time being, under its superintendence, all such things as may lawfully be done by a guardian.	
		Section 24 ..	The Court of Wards may pass such orders as it thinks fit in respect of the custody and residence of any Government ward whose person is, for the time being, under its superintendence and where he is a minor, in respect of his education.	
		Section 25 ..	The Court of Wards may, from time to time, determine what sums shall be allowed in respect of the expenses of any Government ward and of his family and dependents.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
33—*concld.*	The Sind Court of Wards Act, 1905—*contd.*	Section 26 ..	The Court of Wards, or the manager (if any) appointed by it under this Act shall manage the property of every Government ward under its superintendence or under his management diligently and faithfully for the benefit of the Government ward, and shall in every respect act to the best of its or his judgment for the Government wards interest as if the property were its or his own.	
		Section 27 ..	The Court of Wards may sell, exchange, mortgage, charge or let the property of a Government ward, and may do all such things as it may judge to be best for the benefit of the property and the advantage of the Government ward : provided that— (a) the previous sanction of the Provincial Government shall be required to any sale, exchange or mortgage of, or charge on, immovable property and to any lease of such property for a term exceeding ten years, and (b) where one-fourth of the immovable property of a Government ward has been sold or exchanged no further sale or exchange shall be made.	
		Section 28 ..	The Court of Wards may summarily evict in the manner specified in section 202 of the Sind Land Revenue Code, 1879, any person occupying, or in possession of any immovable property under its superintendence, to the use and occupation of which he has ceased to be entitled under any of the provisions of that Code, or which he uses or occupies in contravention of any of the provisions of this Act.	

		Section 29 ..	For the purpose of the recovery of rents, profits, and other sums due in respect of property under the superintendence of the Court of Wards (whether such arrears become due before or after the assumption of such superintendence) the Court of Wards shall have all the powers possessed by a Collector under the law for the time being in force for the recovery of land revenue due to Government, including the power conferred by section 176 of the Sind Land Revenue Code, 1879.	
		Section 30A(1) ..	Whenever it shall appear to the Court of Wards that by virtue of or in execution of a decree or order of a Civil Court, the property of a Government ward under its superintendence is or is likely to be insufficient for the payment of the expenses — (a) of the management of the property of the said ward under this Act, or (b) of the said ward, his family and dependents, allowed under section 25, the court of Wards may issue a certificate in writing to the Civil Court executing the said decree or order directing that the said property shall for such period as the Court of Wards may from time to time deem expedient, be exempt from any attachment, sale, transfer or other process by a Civil Court.	
		Section 31 ..	No suit relating to the person or property of any Government Wards shall be brought in any Civil Court until the expiration of two months after notice in writing stating the name and place of abode of the intending plaintiff, the cause of action and the relief claimed, has been delivered to or left at the office of the Court of Wards, and the plaint shall contain as statement that such notice has been so delivered or left ; Provided that notice under this section shall not be required in the case of any suit the period of limitation for which will expire within three months from the date of a notification issued under section 13, sub-section (1).	
		Section 32 ..	Subject to the provisions of the second paragraph of section 440 of the Code of Civil Procedure in every suit brought by or against a Government ward, the manager of the Government ward's property, or, where there is no manager, the Court of Wards having the superintendence of the Government ward's property, shall be named as the next friend or guardian for the suit, as the case may be.	
		Section 33 ..	Where, in any suit brought by or against a Government ward, any Civil Court decrees any costs against the Government ward's next friend or guardian for the suit the Court of Wards shall cause the costs to be paid out of any property of the Government ward which may, for the time being, be in its hands.	

(5) STATEMENT SHOWING POWERS AND FUNCTIONS OF COMMISSIONERS UNDER VARIOUS PROVINCIAL LAWS.

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
33—*contd.*	The Sind Court of Wards Act, 1905—*contd.*	Section 35 ..	No suit shall be brought, and no appeal in any suit shall be preferred, by any guardian or manager appointed by the Court of Wards on behalf of any Government ward unless it is authorised by an order in writing of the Court of Wards : Provided that a manager may authorise a plaint or a memorandum of appeal to be filed in order to prevent a suit or appeal from being barred by the law of limitation, but the suit or appeal shall not afterwards be proceeded with except with the sanction of the Court of Wards.	
		Section 36 (1) ..	Where any question arises as between two or more Government Wards of such a nature that an adjudication upon it by a Civil Court is expedient, it shall be lawful for the Court of Wards, acting through the Collector of the district in which a case might have been stated for the opinion of the Civil Court with regard to such matter under section 527 of the Code of Civil Procedure to file in the Civil Court having jurisdiction a statement containing the point or points for determination.	
		Section 36 (2) ..	When such statement has been filed, the Court shall appoint a guardian for the suit for each ward having a separate interest and such guardians shall thereupon conduct the case subject to the general control of the Court of Wards.	
		Section 37 (1) ..	Except with the approval of the Court of Wards, a Government ward shall be incompetent to transfer or create any charge on, or interest in, his property or any part thereof except such interest as may be created by a will made in accordance with section 38 or to enter into any contract which may involve him in pecuniary liability ; and no suit shall be brought in any Civil Court whereby to charge any person upon any promise made after he has ceased to be a Government ward to pay any debt contracted during the period when he was a Government ward, or upon any ratification made after he has ceased to be a Government Ward of any promise or contract made during the period aforesaid whether there is or is not any new consideration for such promise or ratification.	

		Section 37 (2) ..	Nothing in this section shall be deemed to affect the capacity of a Government Ward to enter into a contract of marriage: Provided that a Government ward shall not incur, in connection with such a contract, any pecuniary liability, except such as, having regard to the personal law to which he is subject and to his rank and circumstances, the Court of wards may, in writing, declare to be reasonable.	
		Section 38 ..	No will made by a Government ward shall be valid without the consent of the Provincial Government obtained, either previously or subsequently to the making of the will, on application made to it through the Court of Wards: Provided that consent shall not be withheld unless it appears to the Provincial Government that the will is contrary to the personal or special law applicable to the ward, or that it is likely to cause considerable pecuniary embarrassment to the property or to lower considerably the influence or respectability of the family in public estimation.	
		Section 39 ..	Where on the death of any Government ward, the succession to his property or any part thereof is disputed the Court of Wards may, with the sanction of the Provincial Government either retain the superintendence of the property until one of the claimants has established his claim to the same in a competent Civil Court or institute a suit of interpleader against all the claimants.	
		Section 40 (2) ..	The Court of Wards may, with the sanction of the Provincial Government, at any time withdraw its superintendence from the person of property, or both, of a Government ward, and shall withdraw its superintendence as soon as, in the opinion of the District Court certified to the Court of Wards— (a) in the case of a person disqualified under clause (a) of sub-section (1) of section, 5 he attains or has attained his majority; (b) in the case of a female disqualified under clause (b) of the same sub-section she is fit to manage her own property; (c) in the case of a person disqualified under clause (c) of the same sub-section, he is fit to manage his own property; (d) in the case of a person disqualified under clause (d) of the same sub-section, he ceases to be of unsound mind and incapable of managing his affairs; and (e) where it was assumed under section 4, sub-section (1) in the case of a family which was undivided according to Hindu law, any co-sharer ceases to be disqualified under sub-section (1) of section 5:	

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Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
33—*concld.*	The Sind Court of Wards Act, 1905—*concld.*	Section 40 (2)	Provided, firstly, that— (i) where a Government ward dies or ceases to be disqualified and his property is still encumbered with debts and liabilities, the Court of Wards, may with the sanction of the Provincial Government retain the said property under its superintendence until such debts and liabilities have been discharged; and (ii) in the case of land-holders or pension holders who are co-sharers in a family which is undivided according to Hindu law where one or more of the proprietors of a property remains disqualified although another or others have ceased to be disqualified, the Court of Wards may, with the sanction of the Provincial Government retain the whole of the property under its superintendence, paying any proprietor who has ceased to be disqualified from surplus income such portion as shall be proportionate to his interest in the estate:— Provided, secondly, that, where the Court of Wards withdraws its superintendence, such withdrawal shall not affect any contract entered into by the Court of Wards in the lawful exercise of its powers; and Provided, thirdly that— (a) no person who has once been declared disqualified under clause (b) or (c) of sub-section (1) of section 5, and (b) except in the case of any co-sharer other than those signing an application described in section 9, sub-section (2), no land holder or pension holder who has been made a Government ward in pursuance of an order under section 9, sub-section (1).	

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			shall be competent, on the withdrawal of such superintendence, to transfer or create any charge on or interest in his property or any part thereof for a period beyond the term of his natural life, except with the previous sanction of the Collector.	
		Section 40(3) ..	No appeal shall lie from any opinion certified under sub-section (2).	
		Section 41 (1) ..	Where, in exercise of the power conferred by section 40, the Court of Wards decides to withdraw its superintenence from the person or perperty, or both, of any minor, it shall before such withdrawal, by an order in writing, appoint some person to be guardian of the person or property, or both, of the minor, and such appointment shall take effect from the date of such withdrawal.	
		Section 41 (2) ..	In appointing a guardian under this section, the Court of Wards shall be guided by the provisions of the Guardians and Wards Act, 1890; and every guardian so appointed shall have and be subject to, the same rights, duties and liabilities as if he had been appointed under that Act.	
		Section 43(1) ..	An appeal shall lie from every order, other than an order of the District Court, passed under this Act, whether orginal or on appeal, (*b*) where the order is that of a Collector to the Revenue Commissioner, or where any such officer or Board has jurisdiction to such officer or Board; and (*c*) in all other cases, to the Collector : Provided that where any such officer or Board has been appointed to be Court of Wards and the order has been passed by any officer subordinate to such Court of Wards for the purposes of this Act, the Provincial Government may direct that appeals shall lie to such officer or Board.	
		Section 44 A ..	For the purposes of this Act, the Court of Wards or any officer subordinate to it, not below the rank of a Mukhtiarkar may summon and enforce the attendance of witnesses and compel them to give evidence, and compel the production of documents, by the same means and, as far as possible, in the same manner, as is provided in the case of a Civil Court by the Code of Procedure, 1908.	
		Section 46 ..	(1) The Provincial Government may, by notification published in the Official Gazette make rules to carry out the purposes and objects of this Act. (2) In particular and without prejudice to the generality of the foregoing power, such rules may— (*d*) prescribe the accounts and other returns, and the form and other particulars thereof, which shall be rendered to the Court of Wards and by the Court of Wards to the Provincial Government;	

Serial No.	Act Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
34	The Sind Town Planning Act, Act, 1915.	Section 45B (5) ..	Within one month of the date of publication of the draft variation, any person affected thereby may communicate in writing any objection to such variation to the Provincial Government through the Collector and Revenue Commissioner.	
35	The Sind Co-operative Societies Act, 1925.	Section 59 P (2) ..	The costs of distraint and sale shall be estimated at such rates as may, from time to time, be sanctioned by the Revenue Commissioner.	
36	The Sind Consumption of Intoxicants Restriction Act, 1940.	Section 7 ..	A Commissioner, Collector or any other Abkari Officer duly empowered in this behalf may— (*a*) enter, at any time by day or night, any place in which he has reason to believe that any intoxicant is being consumed or is kept for being consumed contrary to the provisions of this Act ; and (*b*) in case of resistance or obstruction, break open any door and remove any other obstacle to his entry into such place; and (*c*) seize any intoxicant or any material which he has reason to believe to be liable to confiscation under this Act; and (*d*) detain and search and, if he thinks proper, arrest any person whom he has reason to believe to be guilty of any offence under this Act.	
		Section 8	A Commissioner, Collector or any other Abkari Officer duly empowered in this behalf may— (*a*) seize in any open place any intoxicant or any other thing which he has reason to believe to be liable to confiscation; (*b*) detain and search any person whom he has reason to believe to be guilty of any offence under this Act.	

		Section 10	A Commissioner, Collector or any other Abkari Officer duly empowered in this behalf may arrest without any order from a magistrate and without any warrant any person who obstructs him in the execution of his duty under this Act or who has escaped from custody in which he has been or is lawfully detained under this Act.	
		Section 15 ..	A Commissioner, Collector, or any other Abkari Officer duly empowered in this behalf, or a magistrate may issue a warrant— (a) for the arrest of any person whom he has reason to believe to have committed an offence against this Act, or (b) for the search, whether by day or by night, of any place in which he has reason to believe that any intoxicant is being consumed or is kept for being consumed contrary to the provisions of this Act.	
		..	All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure, 1898, by a police officer or by an Abkari Officer duly empowered in this behalf.	
		Section 23(1) ..	A Commissioner, Collector or any other Abkari Officer specially empowered by the Provincial Government in this behalf may accept from any person who is reasonably suspected of having committed an offence under sections 3, 4 or 5 a sum of money, not exceeding Rs. 200, by way of composition for the offence which may have been committed.	
		Section 23(2) ..	On the payment by such person of such sum of money to such officer, such person, if in custody, shall be set at liberty and the property seized shall be released and if magisterial proceedings shall have been instituted against such person the composition shall be held to amount to an acquittal and in no case shall any further proceedings be taken against such person or property with reference to the same facts.	
		Section 31 ..	The Commissioner may make rules— (a) regulating the disposal of confiscated articles ; (b) regulating rewards to be granted to persons giving information and detecting officers and persons.	
37	The Sind Agricultural Produce Market Act, 1940.	Section 2 (2) ..	If a question arises whether any person is or is not a grower for the purpose of this Act, the matter shall be referred to the Collector of the district in which such person permanently resides. An appeal against the order of the Collector shall lie to the Revenue Commissioner.	
		Section 15(1) ..	The Revenue Commissioner for Sind may, subject to rules made under this Act, transfer from one Board to another for disposal, applications made under section 4.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
37	The Sind Agricultural Produce Market Act, 1940.—*concld.*	Section 25 (1) ..	Any person aggrieved by any order under this Act, not being an order passed by any Court or Magistrate, may appeal— (a) to the Revenue Commissioner or to such officer as the Provincial Government may appoint in this behalf, if such order is passed by a Collector, and	
		Section 25 (2) ..	Where any such decision, decree, sentence or order is brought to the notice of the Commissioner with a view to the exercise by him of his revisional jurisdiction in respect thereof under this Regulation, the Commissioner shall report the case to the Provincial Government, and it shall be disposed of by the Provincial Government or by such officer as the Provincial Government may appoint in that behalf.	
38	The Sind Rural Credit and Land Transfer Act, 1947.	Section 26(1) ..	Any party aggrieved by an order passed by the Collector or other revenue officer in exercise of his powers under this Act may within 60 days from the date of the order present an appeal in writing to the Revenue Commissioner.	
		Section 26 (2) ..	The Revenue Commissioner shall then call for the records of the case from the Collector or other revenue officer and after perusing such record and after making such further enquiry as he thinks fit shall decide the appeal.	
		Section 28 ..	The Provincial Government or the Revenue Cimmissioner may pending decision of an appeal or a proceeding in revision, as the case may be, stay the execution of an order against which the appeal is made or in respect of which the revision proceeding arises.	

39	The Punjab Land Revenue Act, 1887.	Section 11 ..	(3) Subject to the general superintendence and control of the Board of Revenue, a Commissioner shall control all other officers in his division.
			(4) Subject to the control of the Commissioner a Collector shall control all other Revenue Officer in his district.
		Section 12 ..	(1) The Board of Revenue or Commissioner or Collector may by written order distribute, in such manner as he thinks fit, any business cognizable by any Revenue Officer under his control.
			(2) The Board of Rĕvenue or Commissioner or Collector may withdraw any case pending before any Revenue Officer under his control, and either dispose it of himself, or by written order refer it for disposal to any other Revenue Officer under his control.
			(3) An order under sub-section (1) or sub-section (2) shall not empower any officer to exercise any powers or deal with any business which he would not be competent to exercise or deal with within the local limits of his own jurisdiction.
		Section 13 ..	Save as otherwise provided by this Act, an appeal shall lie from any original or appellate order of a Revenue Officer as follows, namely :—
			(*b*) to the Commissioner when the order is made by a Collector ;
			(*c*) to the Board of Revenue only on a point of law when the order is made by the Commissioner.
			Provided that :—
			(*i*) when an orginal order is confirmed on first appeal, a further appeal shall not lie.
			(*ii*) when any such order is modified or reversed on appeal by the Collector, the order made by the Commissioner on further appeal, if any, to himshall be final.

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	
39—*contd.*	The Punjab Land Revenue Act, 1887—*contd.*	Section 14 ..	Save as otherwise provided by this Act, the period of limitation for an appeal under the last foregoing section shall run from the date of the order appealed against, and shall be as follows, that is to say :—	
		Section 15 ..	(1) A Revenue Officer may either of his own motion or on the application of any party interested, review, and on so reviewing modify, reverse or confirm, any order passed by himself or by any of his predecessors in office ; Provided as follows :—	
			(*a*) an order passed by his predecessor in office shall not be reviewed by the—	
			(*i*) Commissioner without first obtaining the sanction of the Board of revenue,	
			(*b*) an application for review of an order shall not be entertained unless it is made within ninety days from the passing of the order, or unless the applicant satisfies the Revenue Officer that he had sufficient cause for not making the application within that period;	
			(*c*) an order shall not be modified or reversed unless reasonable notice has been given to the parties affected thereby to appear and be heard in support of the order ;	
			(*d*) an order against which an appeal has been preferred shall not be reviewed.	
		Section 16 ..	(4) The Board of Revenue may in any case called for by itself under sub-section (1) and the Commissioner may, in any case called for under sub-section (2) or reported to him under sub-section (3) pass such order as it or he thinks fit :	
			Provided that the Board of Revenue or the Commissioner shall not under this section pass an order reversing or modifying any proceeding or order of a subordinate Revenue Officer and affecting any question of right between private persons without giving those person an opportunity of being heard.	

		Section 27(1) ..	The Provincial Government may by notification confer on any person— (*a*) all or any of the powers of the Board of Revenue, Commissioner or Collector under this Act and may by notification withdraw any powers so conferred.	
		Section 27 (2) ..	A person on whom powers are conferred under sub-section (1) shall exercise those powers within such local limits and in such classes of cases as the Provincial Government may direct, and, except as otherwise directed by the Provincial Government, shall for all purposes connected with the exercise thereof be deemed to be the Board of Revenue, Commissioner, Collector or Assistant Collector, as the case may be.	
		Section 50 (2) ..	Before making such assessment the Revenue Officer shall report through the Commissioner for the sanction of the Board of Revenue his proposals with regard thereto.	
		Section 51(4) ..	The Chief Commissioner in Baluchistan may declare an area by notification to be an urban assessment circle.	
		Section 53 ..	(1) An assessment the undertaking of which has been sanctioned under the provisions of section 49 shall not be considered final until it has been confirmed by the Board of Revenue. (2) At any time before an assessment is so confirmed the Commissioner or the Board of Revenue may subject to the provisions of sub-section (3) modify the assessment of any estate. (3) Before an enhancement is ordered under the provisions of sub-section (2) the Commissioner or the Board of Revenue shall cause reasonable notice to be given to the land owners by proclamation published in the manner described in section 22, to show cause in a petition addressed to the Revenue Officer why the proposed enhancement should not be ordered, and the Revenue Officer shall enquire into any objections raised by any land-owner and submit such petition received with his report thereon to the Commissioner or the Board of Revenue who shall consider the petition and the report and shall also hear the petitioner if he so desires.	
		Section 71(3) ..	The Collector shall report to the Commissioner any transfer made by him under this section and the Commissioner may set aside the transfer or alter the conditions thereof, or pass such other order as he thinks fit.	

Serial No.	Act/Regulations	Section	Nature and extent or power	REMARKS
1	2	3	4	5
39—*contd.*	The Punjab Land Revenue Act 1887—*contd.*	Section 73 ..	(1) When an arrear of land revenue has been due for a longer period than one month, and the foregoing processes are not deemed sufficient for the recovery thereof, the Commissioner may, in addition to or instead of all or any of those processes, order the existing assessment of the estate or holding in respect of which the arrear is due to be annulled. (3) When the assessment of any land has been annulled, the Collector may, with the previous sanction of the Commissioner either manage the land himself or through an agent, or let it in farm to any person willing to accept the farm, for such term and on such condition as may be sanctioned by the Commissioner. Provided that the term for which land may be so managed or farmed shall not be longer than fifteen years from the commencement of the agricultural year next following the date of the annulment. (4) At some time before the expiration of that term the Collector shall determine the assessment to be paid in respect of the estate or holding for the remainder of the term of the current assessment of the district or tahsil, and when that assessment has been sanctioned by the Commissioner shall announce it to the land owner. (5) The land owner may give notice to the Collector of refusal to be liable for the assessment within thirty days from the date on which the assessment was announced to him. (6) If notice is so given, the Collector, may with the previous sanction of the Commissioner take the estate or holding under direct management, or farm it for the remainder of the term of the current assessment of the district or tahsil, or for any period within that term which the Commissioner may fix.	

			(8) The Commissioner may direct that any contract made by the defaulter or by any person through whom the defaulter claims, with respect to any land comprised in an estate or holding of which the assessment has been annulled shall not be binding on the Collector or his agent or farmer during the period for which the estate of holding remains under the management of the Collector or his agent or is let in farm.	
		Section 76 ..	(2) Nothing in sub-section (1) shall affect— (c) any incumbrance, grant, contract or right of occupancy specially saved by the order of the Commissioner proclaimed as hereinafter provided.	
		Section 91 ..	(8) At any time within thirty days from the date of the sale application may be made to the Commissioner to set aside the sale on the ground of material irregularity or mistake in publishing or conducting it ; (2) But a sale shall not be set aside on that ground unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of the irregularity or mistake.	
		Section 92 ..	(1) After the expiration of thirty days from the date of the sale, if such application as is mentioned in the last foregoing section has not been made, or if such application has been made and rejected, the Commissioner shall make an order confirming the sale, and, if such application has been made and allowed, the Commissioner shall make an order setting aside the sale. (2) An order made under this section shall be final.	
		Section 143 ..	(1) When land of which the land revenue has been assigned in whole or in part is reassessed, the assignee shall be liable to pay such a share of the cost of making the re-assessment as the Board of Revenue may determine to be just.	
		Section 11 ..	Where in the opinion of the Commissioner or Deputy Commissioner, it is inexpedient that the question of the guilt or innocence of any person or persons accused of any offence, or of any of several persons so accused, should be tried by a Court of any of the classes mentioned in section 6 of the Code of Criminal Procedure, 1898, the Deputy Commissioner may, or if the Commissioner so directs, shall, by order in writing, refer the question to the decision of Council of Elders, and require the Council to come to a finding on the question after such inquiry as may be necessary and after hearing the accused person. * * *	
		Section 14 ..	The powers conferred by section II on the Commissioner and Deputy Commissioner, respectively may be exercised by them, in case committed to the Court of Session, at any time before the trial before that Court has commenced, and, in cases pending before any Court inferior to the Court of Session, at any time before an order of conviction or acquital has been made.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
39—contd.	The Punjab Land Revenur Act 1887.—*contd.*	Section 15 ..	(1) In any trial before a Court of Session, the Public Prosecutor may, when instructed in writing in that behalf by the Commissioner or Deputy Commissioner, at any time before conviction or acquittal has been made with respect to any accused person, withdraw from the prosecution of such person in order that the case may be referred to a Council of Elders.	
		Section 27 ..	Forfeiture under section 25 or section 26 may be adjudged by order of the Deputy Commissioner for a term which may extend to three years, and by order of the Commissioner for any longer term or in perpetuity.	
		Section 31 ..	(1) No new hamlet, village habitation, tower or walled enclosure shall without the previous sanction in writing of the Commissioner, who may either grant or refuse such sanction as he thinks fit, be erected at any place within five miles of the frontier of British India. (2) Where the Commissioner refuses to sanction the erection of any such hamlet, village habitation, tower or walled enclosures as the case may be, he shall record his reason for so doing.	
		Section 40 ..	(1) Where the Commissioner or the Deputy Commissioner is of opinion that it is necessary, for the purpose of preventing murder or culpable homicide not amounting to murder, or dissemination of sedition, to require a person to execute a bond for good behaviour or for keeping the peace, as the case may be, he may order the person to execute a bond, with or without sureties, for his good behaviour or for keeping the peace, as the case may be, during such period, not exceeding three years as the Commissioner or the Deputy Commissioner, as the case may be, may fix. (3) Where a person has been convicted in accordance with the finding of a Council of Elders of an offence mentioned in section 106 of the Code of Criminal Procedure, 1898, punishable under section 302, section 304, section 307 or section 308 of the Indian Penal Code, the Deputy Commissioner at the time of passing sentence, or the Commissioner at the time of revising the sentence, may make an order under sub-section (1) with respect to that person.	

			(5) Where the Commissioner or the Deputy Commissioner is of opinion that sufficient grounds exist for making an order under subsection (1), he may, either in lieu of or in addition to such order, by order in writing, direct that the person concerned shall notify his residence and any change of residence in the manner prescribed by section 565 of the Code of Criminal Procedure, 1898, during such term, not exceeding three years, may be specified in the order.	
		Section 47 ..	(2) Subject to the provisions of sub-section (2) of section 42 and sub-section (1) of this section, the provisions of the said Chapters of the Code of Criminal Procedure, 1898, shall, so far as they are consistent there with, be applicable to every proceeding under this Chapter relating to the taking of Securities, but all applications for revision in respect to any such proceeding shall be made to, and be disposed of by, the Commissioner.	
		Section 49 ..	The Commissioner may call for the record of any proceeding under this Regulation and revise any decision, decree, sentence or order given, passed or made therein.	
		Section 50 ..	The Commissioner may, in the exercise of his revisional jurisdiction in any criminal proceeding, exercise the power to direct tender of pardon conferred by section 338, and any of the powers conferred on an Appellate Court by sections 195, 423, 426, 427 and 428 of the Code of Criminal Procedure, 1898 (2) and may also enhance any sentence: Provided that nothing in this Chapter shall be deemed to authorise the Commissioner to set aside the finding on any question of fact of a Council of Elders, where such finding has been accepted by the Deputy Commissioner, unless he is of opinion that there has been a material irregularity or defect in the proceedings or that the proceedings have been so conducted as to occasion a miscarriage of justice.	
		Section 52 ..	Nothing in this Chapter shall be deemed to authorize the Commissioner to vary or set aside any decision, decree or order given, passed or made in any civil proceeding under this Regulation, unless he is of opinion that there has been a material irregularity or defect in the proceedings, or that the proceedings have been so conducted as to occasion a miscarriage of justice, or that the decision, decree or order is contrary to good conscience or public policy.	
		Section 53 ..	Where, in the exercise of his revisional jurisdiction in any proceeding under this Regulation, the Commissioner varies or sets aside any decision, decree, sentence or order, he shall record his reasons for so doing.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			(iv) FORMER BAHAWALPUR LAWS	
40	The Bahawalpur State Courts of Wards Act, 1942.	Section 4 ..	(1) The Commissioner shall be the Court of Wards for the Bahawalpur State. (2) The Court of Wards may exercise all or any of the powers conferred on it by this Act either direct or through the Deputy Commissioner of the District within limits of which any ward may at any time reside or any part of the property of any ward may be situated, or through any other person whom it may at any time, in respect of any ward or the whole or any part of the property of any ward, appoint in that behalf. (3) The Court of Wards may, with the sanction of Provincial Government from time to time, by general or special order, or by rule made under this Act, delegate any of its powers to any Deputy Commissioner or other person as aforesaid and may at any time, with the like sanction, revoke any such delegation. (4) The powers and authority by this Act vested in the Court of Wards shall be exercised by it subject to the control of the Provincial Government.	
		Section 5	(1) Any land-holder may apply to the Commissioner to make an order directing that his property be placed under the Superintendence of the Court of Wards, and upon receiving any such application, the Commissioner may if it considers expedient in the public interest so to do, make an order accordingly. (2) When it appears to Provincial Government that any land-holder is:— (a) by reason of being a female ; or, (b) owing to any physical or mental defect or infirmity ; or	

			(c) owing to his having been convicted of a non-bailable offence and to his vicious habits or bad character ; or (d) owing to his having entered upon a course of wasteful extravagance likely to dissipate his property ; incapable of managing or unfitted to manage his affairs the Commissioner may make an order directing that the property of such land-holder be placd under the superintendence of the Court of Wards : Provided that such an order shall not be made on the ground stated in clause (d) unless such land-holder belongs to a family of political or social importance and the Commissioner is satisfied that it is desirable, on grounds of public policy or general interest, to make such order. (3) Every order made by the Commissioner under sub-section (1) or sub-section (2) shall be final and shall not be called in question in any Court of Law.	
		Section 6 ..	(1) When any land-holder is a minor or a person adjudged a Competent Court to be of unsound mind and incapable of managing affairs, the Court of Wards may make an order assuming the superintendence of the property, or the person and property of such land-holder.	
		Section 7 ..	(1) When in respect of any land-holder , an order is made by the Provincial Government under sub-se tion (1) or sub-section (2) of section 5, the Court of Wards, shall assume the superintendence of the property of such land-holder, and may in its discretion also assume the superintendence of his person. (2) When the Deputy Commissioner is appointed or declared to be guardian of the person or property, or both, of a minor, under the provisions of section 18 of the Guardian and Wards Act, 1890, he shall intimate the fact to the Court of Wards, and the Court of Wards, may thereupon, in its discretion, either assume, or refrain from assuming, the superintendence of the person or property or both (as the case may be) of such minor, and the provisions of this Act shall, if such superintendence be so assumed, apply to the person or property, or both (as the case may be) of such minor.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
40—contd.	Bahawalpur State Courts of Wards Act, 1942	Section 8 ..	(1) When there are two or more proprietors of any property and the shares of the several proprietors have not been separated off, and the Court of Wards, acting under section 6 or section 7, assumes the superintendence of the property of one or more, but not all of such proprietors, the Court of Wards may assume the superintendence also of the shares of such joint property or joint proprietors paying any such proprietor the surplus income accruing from his share of the property. The superintendence assumed under this section shall extend only to the management of the share of the joint proprietor in such joint property and shall not as regards such share include the power to sell or mortgage the same or any part thereof or to grant a lease thereof for a period exceeding 10 years or to create any charge therein or interest therein.	
		Section 9 ..	Whenever the Court of Wards assumes the superintendence of the person or property of any person under any of the provisions of this Act, the order of assumption shall be notified in the Gazette, and shall specify the district, the Deputy Commissioner of which shall be put in charge on behalf of the Court of Wards.	
		Section 10 ..	(1) Every order made by the Court of Wards assuming under sections 6, 7 and 8, respectively the superintendence of the person or property or both, of any person shall take effect from the date fixed in this behalf in the notification published under section 9, and shall be final and shall not be called in question in any Court of Law.	
		Section 11 ..	(1) For the purposes of satisfying himself as to whether , in respect of any land-holder,— (a) Provincial Government should be moved to make an order under sub-section (2) of Section 5 or	

			(b) the Court of Wards should be moved to make an order under section, 6 or for the purpose of making any report which may be called for in connection with any application of a land-holder under sub-section (1) of section 5, the Deputy Commissioner may make such inquiry into the circumstances of such land-holder as he may deem necessary, and pending the taking of any such action, may issue such orders for the temporary custody and portection of the person or property, or both of such land-holder, as he thinks fit. (2) If the land-holder, be a minor, the Deputy Commissioner may direct that the person, if any, then having the custody of the minor, shall produce him, or cause him to be produced, at such place and time as the Deputy Commissioner appoints, and may make such order for the future custody of the minor, pending the orders of the Court of Wards, as he thinks proper. (3) If the minor is a female who ought not to be compelled to appear in public, the direction under sub-section (2) shall require her to be produced in accordance with the manners and customs of the country. (4) If the land-holder is alleged to be or is of unsound mind the Deputy Commissioner shall make application to the District Judge with a view to an inquiry being made by such Court for the purpose of ascertaining whether such person is or is not of unsound mind and incapable of managing his affairs.	
		Section 12	(1) For the purposes of every inquiry to be made, or direction to be given, in pursuance of any of the provisions of this Act, the Deputy Commissioner may exercise all or any of the powers of a Civil Court under the Code of Civil Procedure. (2) For the purposes of protecting the property, or any part thereof, of any land-holder pending an inquiry under sub-section (1) of section 11, the Deputy Commissioner may, subject to the direction and control of the Court of Wards, take possession thereof and appoint a manager and such care-taker in respect thereto as he may deem fit.	
		Section 13 ..	(1) Upon the publication of a notification under section 9, in respect of the property of any person, the whole of such property, at the date of the notification, shall vest in the Court of Wards and shall remain so vested until the Court of Wards shall, by notification under section 50, divest itself of the superintendence of the whole or any part hereof or is otherwise divested of such superintendence in due course of law.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	
40—*contd.*	The Bahawalpur State Courts of Wards Act, 1942—*contd.*	Section 11—*concld.*	(2) All rights accruing to and property inherited by or vesting in any ward after the publication of a notification under section 9 and while tho property of such ward is under the superintendence of the Court of Wards, shall vest in the Court of Wards: Provided that the Court of Wards may, in its discretion, assume, or refrain from assuming, the superintendence of any property which any ward may acquire, otherwise than by inheritance, subsequent to the date of the notification published under section 9.	
		Section 14 ..	(1) No land under the superintendence of the Court of Wards shall be sold for arrears of revenue accruing while such land is under such superintendence.	
		Section 15 ..	(1) No ward shall be competent— (a) to transfer or create any charge on, or interest in, the whole or any part of his property which is under the superintendence of the Court of Wards, or to enter into any contract which may involve him in pecuniary liability : Provided that nothing in this clause shall be deemed to affect the capacity of a ward to enter into a contract of marriage but he shall not incur, in connection there with, any pecuniary liability, except such as, having regard to the personal law to which he is subject, and to his rank and circumstances, the Court of Wards may, in writing, declare to be reasonable ; (b) without the previous sanction, in writing, of the Court of Wards, (1) to adopt or (2) to give permission to adopt, or (3) to dispose of any property by will.	

		Section 17 ..	(1) The Court of Wards may, at any time, mortgage or sell the whole or any part of the property of a ward, and may grant leases or farm of the whole or any part of such property for such terms as it thinks fit, and may make such remissions of rental or other arrears and may generally and from time to time pass all such orders and do all such acts, not inconsistent with the provisions of this or any other enactment for the time being in force, as it may deem to be for the advantage of the Ward or the benefit of his property.	
			(2) The Court of Wards may, for the purpose of raising a loan for the benefit of a Ward of his property, hypothecate, with the consent of the Provincial Government, any muafi, pension or assignment of land revenue held by the Ward.	
		Section 18 ..	(1) All deeds, contracts or other instruments executed by the Court of Wards in the exercise of its powers of superintendence under this Act, shall be executed by the Court of Wards in its own name.	
			(2) Covenants entered into by the Court of Wards shall be binding on the Court of Wards only so long as the Ward or the property affected by such covenants remains under its superintendence and only to the extent of such property, and such covenants shall be binding on the Ward or on the person entitled to such property after the Ward or the property or both (as the case may be) shall have been released from superintendence.	
			(3) This section shall also apply to all deeds, contracts and other instruments executed before the commencement of this Act.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
40—*concld.*	The Bahawalpur State Courts of Wards Act, 1942—*concld.*	Section 19 ..	(1) No suit relating to the person of any Ward or to any property under the superintendence of the Court of Wards shall be instituted in any Civil or Revenue Court until the expiration of two months after notice in writing has been delivered to or left at the office of the Deputy Commissioner of the District specified in the order of assumption in the notification under section 9, stating the name and place of abode of the intending plaintiff, the cause of action, and the relief which he claims ; and the plaint shall contain a statement that such notice has been so delivered or left : Provided that notice under this section shall not be required in the case of any suit the period of limitation for which will expire within three months from the date of the notification under section 9.	
		Section 20 ..	(1) No suit (a) by or on behalf of a ward, (b) affecting any property under the superintendence of the Court of Wards shall be brought without the authority of the Court of Wards or of such officer as it may appoint on that behalf, and in every such suit brought with such authority the Court of Wards shall be named as plaintiff. (2) In every suit against a ward affecting property under the superintendence of Court of Wards, the Court of Wards shall be named as the defendant. (3) Suits brought by or against any Court of Wards may be instituted and conducted or defended on behalf of the Court of Wards by the Deputy Commisioner of the District specified in the order of assumption in the notification under section 9, or by the manager or other person authorized by general or special order or rule made under this Act, in that behalf, by the Court of Wards.	
		Section 21 ..	As soon as conveniently may be after the assumption by the Court of Wards, of the superintendence of the property of any person, the Deputy Commissioner of every district within which any part of such property may be situated, or some person authorized, in writing by him in this behalf, shall take possession of all such property and all accounts and papers relating thereto, and shall do all other acts and things which may be necessary to secure and protect the same and place under proper custody and control.	

		Section 22 ..	The Court of Wards may from time to time direct such provisions as it may think fit to be made in respect of the— (1) superintendence and supervision of the persons of the wards and properties under its superintendence ; (2) periodical or special audit, by an independent auditor, of the accounts of properties generally, or of any particular property, as it may think fit ; (3) management of the legal affairs of properties generally, or of any particular property, as it may think fit.	
		Section 23 ..	The Court of Wards may from time to time regulate the expenses to be incurred in the supervision, care and management of the wards and properties under its superintendence , and generally in carrying out all or any of the purposes of this Act, and may order that such expenses, or any of them, including all salaries, gratuities and leave allowances of establishments and all contingent and order expenses whatsoever, which it shall consider requisite, be charged against such property generally, or against any one or more properties comprised in such property for the purposes of which such establishments are or have been, entertained or such expenses have been incurred.	
		Section 24 ..	(1) The Court of Wards may pass such orders as it thinks fit in respect of the residence of any ward whose person is for the time being under its superintendence, and when he is a male minor, in respect of his education. (2) The Court of Wards may from time to time require any such male or minor ward to attend such tutor, class, school or colleges, for the purposes of education, as it thinks fit.	
		Section 25 ..	(1) The Court of Wards may from time to time determine what sum shall be allowed in respect of the expenses of any ward and of his family and dependents. (2) The Court of Wards may from to time determine what sums may be spent on the educating of any minor ward whose person is for the time being under its superintendence.	
		Section 26 ..	(1) On the publication of a Notification under Section 9,the Deputy Commissioner of the District specified in the order of assumption whom the Court of Wards may appoint in that behalf, shall publish in the Gazette a Notice in the Urdu language, calling upon all persons having claims against the wards or against the property under the superintendence of the Court of Wards to notify the same in writing to such Deputy Commissioner within six months from the date of the publication of the Notice.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
40—*contd.*	The Bahawalpur State Courts of Wards Act, 1942—*contd.*	Section 26 ..	(2) The Notice may also be published at such places and in such other manner as the Court of Wards, may, by general or special order, direct or by rule, made under this Act, prescribe. (3) The Deputy Commissioner may if he is satisfied that any claimant had reasonable excuse for not submitting his statement or claim within six months receive his claim at any time after the expiry of the period aforesaid, but any claim so received shall, unless the Deputy Commissioner otherwise directs and notwithstanding any law, contract, decree or award to the contrary, cease to carry interest from the date of the expiry of the period aforesaid.	
		Section 29 ..	Every debt or liability (other than debts due to, or liabilities incurred in favour of the Government) to which any ward is subject or with which any property under the superintendence of the Court of Wards or any part thereof is charged, and which is not duly notified to the said Deputy Commissioner within the time and in the manner hereinbefore prescribed shall subject to the provisions of section 7 and section 13 of the Indian :Limitation Act, 1877, be deemed for all purposes and on all occasions, whether during the continuance of the superintendence of the Court of Wards or afterwards, to have been duly discharged : Provided that the provisions of this section shall not be deemed to extinguish any such debt or liability in any case in which the Court of Wards, after assuming the superintendence of such property releases the same from such superintendence without ascertaining or dealing with the liabilities thereof as in this chapter provided in that behalf and that, in any such case, in computing the period of limitation applicable to any suit or application for the recovery of any such debt or the enforcement of any such liability, the time from the date of the notification of claim under section 26, to the date of the release of the property from the superintendence of the Court of Wards, shall be excluded.	

		Section 30 ..	If any document in the possession or under the control of the claimant is not produced by him as required by section 27, such document shall not be admissible in evidence in any suit or proceeding thereafter brought against a Ward or as affecting any property under the superintendence of the Court of Wards by the claimant, or by any person claiming under him.	
		Section 31 ..	(2) On the publication of a notice under section 26, all suits and all proceedings in execution of any decree against a ward or as affecting any property under the superintendence of the Court of Wards then pending in any Civil Court shall be stayed until the plaintiff or the decree-holder files a certificate that the claim has been notified in accordance with section 26.	
		Section 32 ..	(1) Subject to the provisions of section 19 and section 31, nothing in this chapter shall be construed as preventing any claimant from bringing or prosecuting any suit in any competent Court, in respect of any claim which has been duly notified, within the time and in the manner here in before prescribed, to the Deputy Commissioner and which has, whether in whole or in part, been disallowed by him, but no suit shall at any time be brought or be maintainable in respect of any claim which has not been so notified or to set aside or modify the order of a Deputy Commissioner (if any) fixing a date for the payment of such claim or regulating the order on which claims against the ward or properties under the superintendence of the Court of Wards shall be paid.	
		Section 33 ..	No appeal shall lie from any decision given or order made by a Deputy Commissioner under this chapter, but nothing in this section shall be deemed in any way to limit or interfere with the power of the Court of Wards to revise any such decision or order.	
		Section 35 ..	(1) The Court of Wards may from time to time appoint guardians for the care of the persons of such wards as are minors or of unsound mind, or are suffering from any physical or mental defect or infirmity, or are females and unmarried, and may control and remove such guardians, and no appointment of a guardian for any ward shall be valid unless and until it has been confirmed by the Court of Wards. (2) In appointing a guardian under this section, the Court of Wards shall be guided, as far as may be, by the provisions of section 17 of the Guardians, and Wards Act, 1890, and if a ward leaves or is removed from the custody of a guardian appointed under this section, the Deputy Commissioner of the District specified in the notification issued under section 9 may exercise the power conferred by section 25 of the said Act on a Court as defined in that Act. (3) The Court of Wards may appoint any person to be the tutor of any minor male ward and may control and remove such tutor. Every tutor so appointed shall dicharge such duties and regulate his conduct in such manner as the Court of Wards may from time to time direct.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
40—*concld.*	The Bahawalpur State Courts of Wards Act, 1942—*contd.*	Section 37 ..	A guardian appointed under this chapter shall be charged with the custody of the ward, and shall subject to the supervision and direction of the Court of Wards, and the rules (if any) made under this Act, in that behalf, make suitable education and such other matters as the personal law to which the ward is subject, requires and shall— (a) give such security, if any as the Court of Wards thinks fit for the due performance of his duty ; (b) submit such accounts as the Court of Wards may direct ; (c) pay the balances due from him thereon ; (d) continue liable to account to the Court of Wards, after he has ceased to be guardian, for his receipts and disbursements during the period of his guardianship ; (e) apply for the sanction of the Court of Wards to any act which may involve expense not previously sanctioned by it ; and (f) be entitled to such salary or allowance to be paid out of the proceeds of the property of the ward, as the Court of Wards thinks fit, in respect of the execution of his duties as such.	
		Section 38 ..	The Court of Wards may appoint one or more managers for any properties under its superintendence and may control and remove such managers.	
		Section 39 ..	A manager appointed by the Court of Wards, shall subject to the supervision and direction of the Court of Wards, and the rules (if any), made under this Act, in that behalf, have power to collect the rents of the lands placed under his charge as well as all other money due to the ward or person whose property he manages, and to grant receipts therefore; and he may, subject to the same sanction, supervision, direction and rules (if any) grant and renew leases and farms and do all such lawful acts as he may be generally or specially authorised by the Court of Wards to do for the good management of the property.	

		Section 40 ..	Every manager appointed by the Court of Wards shall, subject to the supervision and direction of the Court of Wards and to the rules (if any) made under this Act, in that behalf manage the property or properties placed under his charge delegently and faithfully, and he shall— (a) give such security, if any, as the Court of Wards thinks fit, duly to account for what he may receive in respect of the rents and profits and other income of the property under his charge. (b) keep accounts in such form and submit them at such times, the Court of Wards may direct ; (c) deal with all money received by him in such manner as the Court of Wards may direct ; (d) apply for the sanction of the Court of Wards to any act which may involve the property in expense not previously sanctioned by it ; (e) be entitled to such salary or allowance to be paid out of the proceeds of such property, as the Court of Wards thinks fit, in respect of the execution of duties. (f) be responsible for any loss occasioned to the property by his negligence or wilful default ; and (g) continue liable to account to the Court of Wards after he has ceased to be manager for his receipts and disbursements during the period of his management.	
		Section 43 ..	If no such guardian or manager is appointed by the Court of Wards the Deputy Commissioner of the district specified in the order of assumption in the notification under section 9 or any other Deputy Commissioner whom the Court of Wards may appoint in that behalf shall be competent to do anything that might be lawfully done by a guardian of the person or a manager of the property appointed under this chapter.	
		Section 44 ..	The Court of Wards may, at any time, release any person or property, or both, from its superintendence. Provided that the property of a land-holder who has been made a ward in accordance with an order made under section, 5, shall not be released from the superintendence of the Court of Wards without the previous sanction of the Commissioner.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
40—*contd.*	The Bahawalpur State of wards Act, 1942—*contd.* Courts	Section 44 ..	Provided further that persons or property under the charge of the Court of Wards in accordance with the provisions of sub-section (2) of section 7 shall not be released without the concurrence of the Court which appointed or declared the Deputy Commissioner to be guardian of the persons or property, or both, of the person concerned, under the Guardian and Wards Act, 1890.	
		Section 45 ..	(1) Whenever a ward dies or ceases to be under any legal incapacity, and his property is, at the time of his death or Cessation or incapacity, still encumbered with debts and liabilities, the Court of Wards with the sanction of Provincial Government either release such property or retain it or any part thereof under its superintendence until such debts and liabilities have been discharged. (2) In any case provided for in sub-section (1) the Court of Wards may together with the property of any such wards also retain, until the said debts and liabilities have been discharged the property of which it has assumed the superintendence under section 8.	
		Section 46 ..	If, in the case of any property, there are more proprietors than one, the Court of Wards may retain the whole property under its superintendence if one or more of the proprietors remain wards, although other or others may have ceased to be under any legal incapacity. Provided that in such cases the Court of Wards shall pay to such proprietor or proprietors who have ceased to be under any legal incapacity the surplus income accruing from his or their share of the estate.	
		Section 47 ..	(1) When the Court of Wards decides to release from its superintendence the person or property, or both, of any minor, it may before such release, by any order in writing, appoint any person to be the guardian of the person or propety, or both of such minor.	

			(2) Such appointment shall take effect from the date of such release.	
			(3) In appointing a guardian under this section, the Court of Wards shall be guided by the provisions of section 17 of the Guardians and Wards Act 1890, and in every such case the Deputy Commissioner of the District specified in the order of assumption in the notification under section 9 shall have the powers conferred upon a Deputy Commissioner under section 35(2).	
		Section 48 ..	Whenever in the event of the death of any person of whose property the Court of Wards has assumed superintendence, the succession to his property or any part thereof, is unclaimed or disputed, the Court of Wards may either with the sanction of the Commissioner direct that the property, or part thereof be made over to any person entitled to or claiming the same or may institute a suit of interpleader against the several claimants or may, retain the superintendence thereof until a claimant has, in due course of law, established his title thereto in a competent court.	
		Section 49 ..	Whenever the Court of Wards releases the property of any person from its superintendence, it shall deliver to such person, or if it has appointed a guardian under subsection (1) of section 47, to such guardian all documents of title and all papers and accounts (other than Government records) relating to such property.	
		Section 50 ..	Whenever the Court of Wards release any person or property from its superintendence, the fa t of such release shall be notified in the Gaazette and such release shall take effect from the date fixed in this behalf, in the notification.	
		Section 52 ..	(2) No suit shall be brought against any servant of the State or any guardian manager or servant appointed by and discharging his duties under a Court of Wards for anything done by him in good faith under this Act.	
		Section 54 ..	The Court of Wards, may, with the previous sanction of Provincial Government make rules consistant with this Act regulating all or any of the following matters, namely:— (a) the management of properties or of all or any property under the superintendence of the Court of Wards. (b) the procedure to be observed and the powers to be exercised by all or any person in all or any proceedings under this Act ; and (c) generally for the purpose of giving effect to all or any of the provisions of this Act.	

Srerial No.	Act/Ordiance	Section	Nature and extent of power	Remarks
1	2	3	4	5
41	The Bahawalpur Ferries Act, 1943.	Section 3 ..	Provincial Government may, from time to time— (a) declare what ferries shall be deemed public ferries, and the respective districts in which, for the purposes of this Act they shall be deemed to be situated, (b) take possession of a private ferry and declare it to be a public ferry; (c) establish new public ferries where , in its opinion , they are needed ; (d) define the limits of any public ferry ; (e) change the course of any public ferry ; and (f) discontinue any public ferry which it deems unnecessary. Every such declaration, establishment, definition, change or discontinuance shall be made by notification in the official Gazette;	
		Section 7 ..	Provided that, when any alteration in the course or in the limits of a public ferry is rendered necessary by changes in the river, such alteration may be made by an order under his hand, by the Commissioner or by such other officer as Provincial Government may, from time to time appoint by name or in virtue of his office in this behalf.	

			The tools of any public ferry, may, from time to time be let by public auction for a term not exceeding five years with the approval of the Commissioner or by public auction, or otherwise than by public auction, for any term with the previous sanction of Provincial Government.
			The lessee shall conform to the rules made under this Act for the management and control of the ferry, and may be called upon by the officer in whom the immediate superintendence of the ferry is vested or, if the ferry is managed by a public body under section 6 then by that body, to give such security for his good conduct and for the punctual payment of the rent as the officer or body, as the case may be, thinks fit.
			When the tools are put up to public auction, the said officer or body as the case may be or the officer conducting the sale on his or its behalf, may, for reasons to be recorded in writing, refuse to accept the offer of the highest bidder, and may accept any other bid, or may withdraw the tools from auction.
41		Section 10 ..	The lessee of the tools of a public ferry may surrender his lease on the expiration of one months notice in writing to the Commissioner of his intention to surrender such lease, and on payment to the Deputy Commissioner of the district in which such ferry is situated of such compensation as such Deputy Commssioner, subject to the approval of the Commissioner may, in each case, direct.
		Section 11 ..	Subject to the control of Provincial Government, the Commissioner or such other officer as Provincial Government may, from time to time, appoint in this behalf, by name or in virtue of his office, may, from time to time, make rules conistent with this Act:—
			(a) for the control and the management of all public ferries and for regulating the traffic of such ferries;
			(b) for regulating the time and manner at and in which and the terms on which, the tools of such ferries may be let by auction, and prescribing the person by whom auctions may be conducted;
			(c) for compensating persons who have compounded for tools payable for the use of any such ferry when such ferry has been discontinued before the expiration of the period compounded for ; and

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41—*concld.*	The Bahawalpur Ferries Act, 1943—*concld.*	Section 11 ..	(d) generally to carry out the purposes of this Act, and when the tools of a ferry have been let under section 7, the Commissioner may from time to time (subject as aforesaid) make additional rules consistent with this Act;	
			(e) for collecting the rents payable for tools of such ferries;	
			(f) in cases in which the communication is to be established by means of a bridge of boats, pontoons or rafts, or temporary bridge, for regulating the time and manner, at and in which such bridge shall be constructed and maintained and opened for the passage of vessels and rafts through the same ; and	
			(g) in cases in which traffic is conveyed in boats, for regulating—	
			(*i*) the number and kinds of such boats and their dimensions and equipment ;	
			(*ii*) the number of the crew to be kept by the lessee for each boat,	
			(*iii*) the maintenance of such boats continually in good condition ;	
			(*iv*) the hours during which and the intervals within which the lessee shall be bound to ply; and	
			(*v*) the number of passengers, animals and vehicles, and the bulk and weight of other things that may be carried in each kind of boat at one trip.	
			The lessee shall make such returns of traffic as the Commissioner or other officer as aforesaid may, from time to time require.	
			Tolls, according to such rates as are from time to time fixed by Provincial Government shall be levied subject to the proviso to Section 13 or all persons, animals, vehicles and other things crossing any river by a public ferry and not employed or transmitted on the public service.	

		Section 14	Provided that Provincial Government may, from time to time, declare that any person, animals, vehicles or other things shall be exempt from payment of such tools.	
			Where the tolls of a ferry have been let udner section 7 any such declaration, if made after the date of the lease, shall entitle the lessee to such abatement of the rate payable in respect of the tolls as may be affixed by, the Commissioner or such other officer as Provincial Government may from time to time appoint in this behalf by name or in virtue of his office.	
		Section 15 .	The lessee or other person authorized to collect the tolls, of any public ferry shall fix a table of such tolls, legibly written or printed in Urdu and also, if the Commissioner so directs, in English in some comspicuous place near the ferry and shall be bound to produce, on demand, a list of the tolls, signed by the Deputy Commissioner of the district or such other officer as he appoints in this behalf.	
		Section 18 ..	The Commissioner may with the previous sanction of Provincial Government from time to time, make rules for the maintenance of order and for the safety of passengers and property at ferries other than public ferries.	
		Section 23 ..	When any lessee of the tolls of a public ferry makes default in the payment of the rent, payable in respect of such tolls, or has been convicted of an offence under section 22, or having been convicted of an offence under section 20 or section 21 is again convicted of an offence under either of these sections, the Deputy Commissioner of the district may with the sanction of the Commissioner cancel the lease of the tolls of such ferry, and make other arrangement for its management during the whole or any part of the term for which the tolls were let.	
		Section 29 ..	The Commissioner, may, on the appeal of any person deeming himself aggrieved by an order under this section reduce or remit the amount payable under such order.	
42	The Bahawalpur State Arms Act, 1945.	Section 5 ..	No person shall manufacture, convert or sell, or keep offer or expose for sale any arms, ammunition or military stores except under a license and in the manner and to the extent permitted thereby.	
			Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same ; but every person so selling arms or ammunition to any person, other than a person entitled to possess the same by reason of an exemption under section 23 of this Act shall, without unnecessary delay, give to the Commissioner and to the officer-in-charge of the nearest police station, notice of the sale and of the purchasers name and address.	

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42—*concld.*	The Bahawalpur State Arms Act, 1945—*concld.*	Section 14 ..	(1) Any license may be cancelled or suspended (a) when for reasons to be recorded in writing, the Government deems it necessary for the security of the public peace to cancel or suspend such licence ; or	
			(b) by any judge or Magistrate before whom the holder of such license is convicted of an offence against this Act, or against the rules made under this Act; and such Judge or Magistrate shall forthwith submit a report to this effect to the Commissioner.	
43	The Bahawalpur State Industrial Statistics Act, 1946	Section 10 ..	No prosecution under section 8 shall be instituted except by or with the sanction of the statistics authority and prosecution under section 9 shall be instituted except by or with the sanction of the Commissioner.	
44	Tauheed Act ,1908 .. ایکٹ تعید ارضیات ریاست بہاولپور ۱۹۰۸ Tauheed Act, 1908	دفعہ ٦	جب کسی قطعہ زمین کے لئے ایسی شرائط جاری ہو جائیں تو تعیدی کی درخواست پر حاکم اعلیٰ مال اس طریق پر جو دربار پردے قواید تجویز کرے - قطع مذکور یا اس کی جزو کے لئے حقوق تعید کی ایک مثل مرتب کرے گا - ایسی مثل میں بعد تکمیل مراتب مجوزہ دربار ایک اقرار نامہ تحریر شامل کیا جائے گا -	

			جس پر تعید گیر اور حاکم اعلیٰ دستخط کریں گے - ایسے اقرار ناموں میں جو جملہ شرائط درج ہونگے جس پر حقوق کی تیعد عطا کئے جائیں گے -	
		دفعہ ۱۰	عدالت دیوانی کو کسی ایسے امر کی سماعت کا اختیار نہ ہوگا جس کو دربار یا حاکم اعلیٰ مال زیر ایکٹ ہذا یا قواعد زیر ایکٹ ہذا فیصل کرے گا - یا عمل میں لائے -	
		دفعہ ۴ (۲)	تعید گیر اعلیٰ کو لازم ہوگا کہ تاریخ دخل سے پانچ سال کے عرصہ میں کم از کم ایک چاہ پختہ واسطے آبپاشی اراضی تعید احداث کرے -	

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44	ایکٹ تعید ارضیات بہاولپور ۱۹۰۸ Tauhid Act, 1906—*concld.*	دفعہ ۴ (۲)	نمبر ۲—حاکم اعلی مجاز ہوگا کہ اس شرط کی پابندی سے کسی ایسے رقبے کو بری کرد؛ و اس کی رائے میں زیر صدمہ دریا ہو - نمبر ۳—اگر ایسے تعید کی اراضی میں پہلے سے چاہ موجود ہو - تو تعید گیر کو اس کی قیمت مجوزہ حاکم اعلی مال کو ادا کرنی ہوگی - اور ایسی ادائیگی اور مالیہ جاری ہونے پر سمجھا جاوے گا - کہ اس نے اس شرط کو پورا کر دیا -	

44	قواید حصول اراضی تعید ریاست بہاولپور ۱۹۰۸—جاری ۔	قاعدہ نمبر ۸	قائدہ نمبر ۲—جب درخواست آفیسر کے پیش ہو جائے ۔ تو آفیسر کو لازم ہوگا کہ وہ اس امر کی تحقیقات کرے ۔ کہ شخص درخواست کنندہ کسی وجہ سے تعید کے حاصل کے ناقابل تو نہیں ہے ۔ اگر شخص درخواست دھندہ آفیسر کی رائے میں اہل ثابت ہو ۔ تو آفیسر اس کی درخواست کو نامنظور کرے گا ۔
		قاعد نمبر ۲	او، وجوہات ناقابلیت اپنے حکم میں لکھے گا ۔ ایسے حکم کی نقل درخواست دھندہ کو زبانی یا تحریری درخواست پر بلا اجرت سادہ کاغذ پر اسی روز اس کو دے دی جائے گی درخواست دھندہ مجاز ہوگا کہ حکم یا منظوری ۔ تحصیل دار صاحب ، ناظم صاحب کی چارہ جوئی ، آفیسر صاحب مال کی خدمت میں کرے ۔ او، آفیسر صاحب مال کے

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44—concld.	قواید حصول اراضی ریاست بہاولپور ۱۹۰۸—تمام ۔		حکم کی چارہ جوئی بخدمت ریوینیو ممبر صاحب بہادر ہوگی ۔ اور ان کے حکم کی نگرانی کونسل سماعت کرے گی ۔	
		قاعدہ نمبر ۵	قاعدہ نمبر ۸ ناظم صاحب اور افسر صاحب مال مجاز ہونگے کہ وہ کسی ایسی مثل کے پہنچنے پر با موجودگی کسی وجہ موجہ کے درخواست تعید نامنظور کریں اور با صورت ناظم صاحب یا آفیسر صاحب مال ایسے حکم نامنظوری کی نقل درخواست دھندہ کے زبانی یا تحریری درخواست پر بلا اجرت سادہ کاغذ پر اسی روز اس کو دے دی جائے گی ۔ اور	

			اس حکم کی چارہ جوئی درخواست دہندہ آفیسر بالا دست کے پاس کر سکے گا - اور بصورت قابل منظوری ہونے کے تعید کی مثل برائے منظوری دربار میں بھیج دی جائے گی -
45	The Punjab Land Revenue (N.-W.F.P. Amendment) Act, 1935.	Section 8	In section 53 of the said Act— (*iii*) for sub-section (3), the following sub-section shall be substituted namely:— "(3) Before an enhancement is ordered under the provisions of sub-section (2) the Revenue and Divisional Commissioner shall cause reasonable notice to be given to the land-owners by proclamation published in the manner described in section 22 to show cause in a petition addressed to the Revenue Officer why the proposed enhancement should not be ordered, and the Revenue Officer shall enquire into any objection raised by any land-owner and submit such petition received with the report to the Revenue and Divisional Commissioner, who shall consider the petition and the report, and shall also hear the petitioner if he so desires."
		Section 12 ..	Amendment of section 59, Punjab Land Revenue Act, 1887— (3) For sub-section (2) of the same section, the following sub-section shall be substituted, namely:— "(2) The Revenue and Divisional Commisioner may confirm any assessment made under this section ".
		Section 14 ..	Power to issue instructions— "60C—The Local Government or the Revenue and Divisional Commissioner with the approval of the Local Government may, for the guidance of Revenue Officers from time to time, issue executive instructions relating to all matters to which the provisions of this chapter apply, provided that such instructions shall be consistent with the provisions of this Act and rules made thereunder."

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1	2	3	4	5
46	The N.-W. F. P. Motor Vehicles Taxation Act, 1936.	Section 12 ..	Any person aggrieved by an order relating to the assessment, imposition or recovery of the tax or penalty may, within a period of 30 days from the date of such order, appeal from such order to the Collector or if the Collector is the officer who passed such order then to the Revenue and Divisional Commissioner. The appellate order of the Collector or the Revenue and Divisional Commissioner (as the case may be) shall be final and conclusive.	
		Section 13 ..	(1) Whenever it appears to be necessary to prohibit the breaking up for cultivation of waste land or its occupation as site for sheds, buildings or enclosures in order to the better protection of— (*a*) the crests and slopes immediately below the crests of hills within the limits of tree vegetation; (*b*) catchment basins of streams, torrents or ravines, (*c*) the banks and beds of rivers, streams, torrents and ravines; (*d*) steep slopes, (*e*) waste lands which, though not situated in any of the above positions, are nevertheless of such value of utility for the supply of forest-produce or otherwise that their breaking up or occupation would in the judgment of the Deputy Commissioner be inadvisable, the Deputy Commissioner may issue orders prohibiting the breaking up or occupation of such waste land, and defining the area to which such prohibition shall extend, and may cause the limits of such area to be shown on the village map and to be demarcated on the ground with boundry mark so far as may be necessary.	

			(2) All orders passed by the Settlement Officer under section 11 of the Hazara Forest Regulation, 1893, at the second regular settlement of the Hazara District shall be deemed to be orders passed under this section. (3) No such order as is referred to in sub-section (1) or sub-section (2) shall be cancelled by the Deputy Commissioner without the sanction of the Revenue and Divisional Commissioner, but the Deputy Commissioner may from time to time revise such orders by altering the boundry of the protected land so as to exclude any particular plot the protection of which may appear to be unnecessary.	
		Section 36 ..	In cases of a flagrant or habitual violation of any of the provisions of this Act or rules made thereunder, the Deputy Commissioner (whether or not any punishment has been inflicted under Section 26 or Section 34) may, with the previous sanction of the Revenue and Divisional Commissioner, direct that within the limits of the whole of the waste land affected or of a specified portion there of all or any of the following acts, namely, cattle-grazing, grass cutting, tree felling and the cutting and gathering of brush wood or any other kind of wood shall be totally prohibited, for a period not exceeding one year or, with the sanction of the Local Government for any longer period that may be thought fit.	
47	The N.-W. F. P. Sales of Motor Spirit Act, 1939.	Section 9 ..	Delegation of power and duties— The Provincial Government or, subject to the orders of the Provincial Government, the Revenue and Divisional Commissioner, North West Frontier Province, may invest any officer with such power and impose upon him such duties under this Act, as the Provincial Government or the Revenue and Divisional Commissioner, North-West Frontier Province, as the case may be, deem fit and any such officer or person shall thereupon exercise the said powers and discharge the said duties.	
		Section 24 (3) ..	The Provincial Government or the Revenue and Divisional Commissioner, North-West Frontier Province, may at any time call for and examine the record of any order of, or the proceedings recorded by any officer or person for the purpose of satisfying itself or himself as to the legality or proprietary of such order passed by or as to the regularity of such proceedings of, such officer or person and may pass such order in reference thereto as it or he thinks fit.	
		Section 24 (4) ..	The period of limitation in case of appeal to the Revenue and Divisional Commissioner will be sixty days and in case of that to the Collector 30 days. In either case such period shall begin from the date on which an order under appeal is announced or communicated to the appellant.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
48	The N.-W. F. P. New Motor Vehicles Sales Tax Act, 1947.	Section 9 ..	The Provincial Government or, subject to the orders of the Provincial Government, the Revenue and Divisional Commissioner, North-West Frontier Province, may invest any officer with such powers and impose upon him such duties under this Act, as the Provincial Government or the Revenue and Divisional Commissioner, North-West Frontier Province, as the case may be, deem fit and any such officer or person shall thereupon exercise the said powers and discharge the said duties.	
		Section 20 ..	(1) To the Collector, if such order is passed by an officer or person exercising powers under this Act.	
		Section 20 ..	(2) Every order passed in appeal under this section shall, subject to the powers of revision conferred by subsection (3), be final.	
		Section 20 ..	(3) The Provincial Government or the Revenue and Divisional Commissioner, North-West Frontier Province may, at any time, call for and examine the record of any order of, or the proceedings recorded by, any officer or person for the purpose of satisfying itself or himself asto the legality or propriety of such order passed by, or as to the regularity of such proceedings of such officer or person and may pass such order in reference thereto as it or he thinks fit.	
		Section 20 ..	(4) The period of limitation in case of appeal to the Revenue and Divisional Commissioner will be sixty days and in case of that to the Collector 30 days. In the either case such period shall begin from the date on which an order under appeals announced or communicated to the appellant. (5) If, in the judgment of the Revenue and Divisional Commissioner, the appeal preferred to him is frivolous and without any just cause, he may, by his order direct that the appellant shall pay to the Collector and any other person, who, on notice being given to him appears and opposes to appeal, costs up to rupees five hundred which shall be recovered from him as arrears of land revenue. (6) The order of the Revenue and Divisional Commissioner shall be final and no further appeal, review or revisions shall be against it."	

		Section 5 ..	In section 45 of the said Act, the words "the Revenue and Divisional Commissioner" shall be inserted between the words "Collector" and "or" and the words "as the case may be" shall be added after the word "Judge".
49	The N.-W.F.P. Sugar Factories Control Act, 1950.	Section 6 (2) ..	The Cane Commissioner shall be deemed to have powers of a Collector under the Punjab Land Revenue Act, 1887 and the Punjab Tenancy Act, 1887, or any other enactment relating to land revenue and tenancy in force in any part of the Province.
50	The N.-W. F. P. Tenancy Act, 1950.	Section 29 ..	The Revenue and Divisional Commissioner may make rules prescribing— (*a*) the form and language of applications and notice under the two last foregoing sections, and (*b*) the manner in which those applications and notices are to be signed and attested.
		Section 50 ..	(1) The general superintendence and control over all other Revenue Officers and Revenue Course shall, be vested in, and all such officers and courts shall be subordinate to the Revenue and Divisional Commissioner. (2) Subject as aforesaid a Collector shall control all other Revenue Officers and Revenue Courts in his District.
		Section 51 ..	(1) The Revenue and Divisional Commissioner or Collector may by a written order distribute, in such manner as he thinks fit, any business cognizance by any Revenue Officer or Revenue Court under his control. (2) The Revenue and Divisional Commissioner or Collector may withdraw any case pending before any Revenue Officer or Revenue Court under his control and either dispose of it himself, or by written order refer it for disposal to any other Revenue Officer or Revenue Court under his control
		Section 52 ..	Subject to the provisions of this Act, and the rules thereunder an appeal shall lie from and original or appellant order or decree made under this Act by a Revenue Officer or Revenue Court, as follows, namely:— (*a*) to the Collector when the order of decree is made by an Assistant Collector of either grade; (*b*) to the Revenue and Divisional Commissioner when the order or decree is made by a Collector. Provided that when an original order or a decree if confirmed on first appeal, a further appeal shall not lie.

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50—*concld.*	The N.-W, F. P. Tenancy Act, 1950—*concld.*	Section 56 ..	The Revenue and Divisional Commissioner may at any time call for the record of any case pending before, or disposed of by, any Revenue Officer or Revenue Court subordinate to him. (3) If in any case in which a Collector has called for a record he is of opinion that the proceedings taken or the order or decree made should be modified or reversed, he shall submit the record with his opinion on the case for the orders of the Revenue and Divisional Commissioner. (4) If, after examining a record called for by himself under subsection (1) or submitted to him under sub-section (3), the Revenue and Divisional Commissioner is of opinion that it is inexpedient to interfere with the proceedings or the orders or decree, he shall pass an order accordingly. (5) If, after examining the record, the Revenue and Divisional Commissioner is of the opinion that it is expedient to interfere with the proceedings or the order or decree on any ground on which the Judicial Commissioner, North-West Frontier Province, in the exercise of its revisional jurisdiction may, under the law for the time being in force, interfere with proceedings or an order or decree of a Civil Court, he shall fix a day for hearing the case, and may, on that or any subsequent day to which he may adjourn the hearing or which he may appoint in this behalf, pass such order as he thinks fit in the case. (6) Except when the Revenue and Divisional Commissioner fixes under subsection (5) a day for hearing the case no party has any right to be heard before the Revenue and Divisional Commissioner when exercising his powers under this section.	
		Section 60 ..	(1) The Provincial Government may make rules consistent with this Act for regulating the procedure of Revenue Courts in matters under this Act for which a procedure is not prescribed there by, and may by such rule direct that any provisions of the Code of Civil Procedure shall apply with or without modification to all or any classes of cases before these courts.	

			(2) Until rules are made under sub-section (1) and subject to those rules when made and to the provisions of this Act— (a) the Code of Civil Procedure shall, so far as it is applicable apply to all proceedings, or Revenue Courts whether before or after decree ; and (b) the Revenue and Divisional Commissioner shall in respect of those proceedings, be deemed to be the High Court within the meaning of that Code, and shall subject to the provisions of this Act, exercise, as regards the Courts under his control all the powers of a High Court under the Code.	
		Section 74 ..	(1) The Revenue and Divisional Commissioner, with the approval of the Provincial Government, shall publish in the local official Gazette before the commencement of each calendar year a list of days to be observed in that year as holidays by all or any Revenue Officers and Revenue Courts.	
		Section 77 ..	(1) The Provincial Government may by notification confer on any person— (a) all or any of the powers of a Revenue and Divisional Commissioner or Collector under this Act, or (b) all or any of the powers with which an Assistant Collector of either grade is, or may be, invested thereunder. and may by notification withdraw any powers so conferred. (2) A person on whom powers are conferred under sub-section (1) shall exercise those powers within such local limits and in such classes of cases as the Provincial Government may direct and, except as otherwise, directed by the Provinical Government shall for all purposes connected with the exerc'se thereof be deemed a Revenue and Divisional Commissioner, Collector or Assistant Collector, as the case may be. (3) If any of the powers of a Collector under section 50, Section 51, Section 52 or Section 54 are conferred on an Assistant Collector they shall unless the Provincial Government by special order otherwise directs, be exercised by him subject to the control of the Collector.	

Serial No.	Act[Regulation	Section	Nature and extent of power	REMARKS
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50—*concld.*	The North-West Frontier Province Tenancy, Act, 1950—*concld.*	Section 78 ..	(1) The Revenue and Divisional Commissioner may, in addition to the other rules which may be made by him, under this Act, make rules consistent with this Act and any other enactment for the time being in force:— (a) determining notwithstanding anything in any record-of-right the number and amount of the instalments and the time by, and at which rent is to be paid; (b) for the guidance of Revenue Officers in determining, for the purposes of this Act, the amount of the land revenue of any land; (c) prescribing for all or any of the territories to which this Act extends the periods during which, in proceedings held under this Act, Revenue Officer or Revenue Court is not except for reasons of arrest to be recorded, to issue any process of arrest against a tenant or against a land-owner who cultivates his own land; (d) regulating the procedures in cases where persons are entitled to inspect records of Revenue Officer or Revenue Courts or to obtain copies of the same and prescribing the fees payable for and copies; (e) prescribing forms for such books, entries, statistics and accounts as the Revenue and Divisional Commissioner thinks necessary to be kept, made or complied in Revenue Office or Revenue Court or submitted to any authority; (f) declaring what shall be the language of any of those offices and courts and determining in what cases persons practising in those offices and courts shall be permitted to address the presiding officers thereof in English ; and (g) generally for the guidance of Revenue Officers and other persons in matters connected with the enforcement of this Act.	
		Section 80 ..	All powers conferred by this Act on the Revenue and Divisional Commissioner may be exercised from time to time as occasion requires.	

51	The N.-W. F. P. Restitution of Mortgaged Land Act, 1950.	Section 10 ..	(1) Any person aggrieved from an order of the Collector under this Act may appeal to the Revenue and Divisional Commissioner, North-West Frontier Province, within a period of ninety days.	
52	Urban Immovable Property Tax Act, 1958.	Section 10 (2) ..	The Commissioner or such other officer as may be appointed by the Government by notification in this behalf, may of his own motion at any time, or on application made within a period of one year from the date of the taking of any proceedings or passing of any order by an authority subordinate to the Commissioner call for and examine the record of the proceedings or the order for the purpose of satisfying himself as to the legality or propriety of the same and may pass such order in reference there to as he may consider fit.	
53	The West Pakistan Entertainments Duty Act, 1958.	Section 15 (1) ..	The Commissioner may, on his own motion, at any time, or on an application made to him in this behalf within thirty days of the date of an order made by the Collector under this act, call for the record of any proceedings held or any order made by the Collector, for the purposes of satisfying himself as to the legality or propriety of such proceedings or order and may pass such order in reference thereto as he may think fit.	
54	The West Pakistan Tobacco Vend Act, 1958. ..	Section 4 (2) ..	Every licence shall be granted— (*a*) on payment of such fees and for such period as may be prescribed by Government ; and (*b*) subject to such conditions and in such form and containing such particulars as may be prescribed by the Commissioner.	
		Section 12 (3) ..	The Commissioner may make rules for all or any of the following matters, namely:— (*a*) prescribing the conditions subject to which a licence under this Act may be granted; (*b*) prescribing the particulars to be contained in, and the form of, such licence; (*c*) prescribing the manner in which payment shall be made for such licence fees and the manner in which such licences shall be issued.	
55	The West Pakistan Vaccination Ordinance 1958.	Section 3 (4) ..	When the Deputy Commissioner makes any order this Section, he shall forthwith forward to the Commissioner and to the local Authority affected thereby a copy of the order with a statement of reasons for making it, and it shall be in the discretion of the Commissioner to rescind the order or to direct that it may continue in force with or without modifications.	
		Section 3 (5) ..	The Commissioner shall forthwith submit to Government a report of every case occurring under this section, and Government may confirm, revise or modify the order, or make in respect thereof any other order which the Commissioner could have made.	

Serial No.	Act/Ofdiance	Section	Nature ond extent of powers	REMARKS
1	2	3	4	5
56	The West Pakistan Land Utilization Ordinance, 1959.	Section 4 ..	If the land in respect of which an order has been passed under section 3, is not brought under cultivation within the period specified in the order, the Commissioner may, by notification in the official gazette, declare that the land is likely to be taken on lease for the purpose of reclamation according to the provisions of this Ordinance. The notification shall give such partiaculars of the land as are mentioned in sub-section (2) of section 3 and shall state that any person having any interest in that land may, within thirty days of the issue of the notification, make an objection in writing to the Collector.	
		Section 6 ..	In every case, whether or not any objection has been made under section 4, the Collector shall submit report with his recommendations and the record of the proceedings under sections 3, 4 and 5 to the Commissioner for decision.	
		Section 7 (1) ..	If after considering the report and examining the records submitted under section 6, the Commissioner is of the opinion that any particular land should be taken on lease for such period not exceeding twenty years from the date of taking possession of the land, as may be specified, he shall make a declaration to that effect.	
		Section 8 ..	Whenever a declaration under section 7 has been made in respect of any land, the Commissioner shall direct the Collector to take possession of the land for the purposes of this Ordinance.	
		Section 12 (1) ..	The Collector may grant lease of the land which is not taken over by Government under sub-section (2) of section 11 for such period as may be determined by the Commissioner to such person as he deems fit. The Collector may also direct that the land shall be irrigated by means of a tubewell or a percolation well to be sunk by the tenant in accordance with such terms and conditions as may be prescribed.	
		Section 14 ..	Subject to the provisions of section 17, with regard to payment of compensation, the Commissioner may subject to such terms and conditions, as he may impose, terminate the lease, at any time,before the expiry of the period of lease: Provided that the lease shall not be terminated except on reasonable grounds:	

		Section 21 ..	If, after restoration of possession to the owner or the person having an interest therein, on the expiry of the period of lease, or before that period as provided in section 13 or section 14, the Commissioner finds that the land or a portion thereof, has since been willfully allowed to remain uncultivate for two consecutive years, the land or the aforesaid portion, as the case may be, may again be takan on lease by Government without taking fresh proceeding under sections, 3, 4, 5 and 6.	
		Section 24 (1) (2) ..	An appeal against an order passed by the Collector shall lie to the Commissioner within a period of sixty days from the date of such order.	
		Section 25 (1) ..	The Commissioner, the Collector or the officer of the Revenue Department to whom powers and functions have been delegated under sub-section (1) of section 22, may, either of his own motion or on the application of any party interested, review, and on so reviewing modify, reverse or confirm, any order passed by himself or by any of his predecessor in office provided as follows:— (*a*) an order passed by his predecessor in office shall not be reviewed by the— (*i*) Commissioner without first obtaining the sanction of the Board of Revenue, (*ii*) Collector without first obtaining the sanction of the Commissioner, and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject; (*b*) an application for review of an order shall not be entertained unless it is made within ninety days from the passing of the order or unless the applicant satisfies the Board of Revenue or the officer concerned that he has sufficient cause for not making the application within that period; (*c*) an order shall not be modified or reversed unless reasonable notice has been given to the parties affected thereby to appear and be heard in support of the order; (*d*) an order against which an appeal has been preferred shall not be reviewed.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
56—*concld.*	The West Pakistan Land Utilization Ordinance, 1959—*concld.*	Section 25 (2) ..	An appeal shall not lie from an order refusing to review or confirming on review a previous order.	
		Section 26 (2) ..	The Commissoner may call for the record of any proceedings pending before or disposed of by a Collector or an officer of the Revenue Department referred to in sub-section (1).	
		Section 26 (4) ..	If in any case in which a Collector has called for a record he is of the opinion that the proceedings taken or order made should be modified or reversed, he shall report the case, with his opinion thereon, for the orders of the Commissioner.	
		Section 26(5) ..	A Commissioner may in any case call for under sub-section (2) or reported to him under sub-section (4) pass such orders as he thinks fit: Provided that no order shall be passed under this section reversing or modifying any proceedings or order of a subordinate Revenue Officer and affecting any question of right between private persons without giving those persons an opportunity of being heard.	
57	The Kalri Lake Development Ordinance, 1959.	Section 4 (1) ..	The Board shall consist of 5 members as follows:— (*i*) the Commissioner, Hyderabad Division;	

			(*ii*) the senior most officer of the Irrigation Department stationed at Hyderabad having jurisdiction over the Lake;	
			(*iii*) the senior most officer of the Forest Department stationed at Hyderabad having jurisdiction over the Lake;	
			(*iv*) the Provincial Town Planner, West Pakistan; and	
			(*v*) a non-official member to be nominated by Government.	
		Section 4 (2) ..	The Commissioner, Hyderabad Division, shall be the Chairman of the Board.	
58	The West Pakistan Control of Goondas Ordinance, 1959.	Section 18 (1) ..	An appeal from an order made by a Tribunal under section 4, section 8, section 13, section 14 or section 16 shall lie to the Commissioner of the Division in which the Tribunal exercises its jurisdictions.	
		Section 18 (2) ..	The provisions of the Limitation Act, 1908, shall apply to an appeal under sub-section (1):	
			Provided that the period of limitation for an appeal shall be thirty days from the date of the order.	
		Section 18 (3) ..	The Commissioner on hearing the appeal may—	
			(*a*) discharge the person complained against, or	
			(*b*) dismiss the appeal, or	
			(*c*) subject to the provisions of this Ordinance modify the order appealed against in such manner as he may think fit.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
58—*concld.*	The West Pakistan Control of Goondas Ordinance, 1959—*concld.*	Section 19 ..	In relation to any such order under section 4, or section 13, or section 16 the High Court may call for the record of the case, and if the Tribunal or the Commissioner appears—	
			(*a*) to have exercised a jurisdiction not vested in it by law, or	
			(*b*) to have failed to exercise a jurisdiction so vested, or	
			(*c*) to have acted in the exercise of its jurisdiction illegally,	
			the High Court may make such direction as it may deem sufficient for the rectification of the error or ommission and the Tribunal or the Commissioner shall conduct itself, or himself, as the case may be, accordingly.	
		Section 27 (2)	The Commissioner may by order in writing transfer a case from one Tribunal to another within a Division.	
59	The West Pakistan Consolidation of Holdings Ordinance, 1960.	Section 11 (2) ..	A second appeal from the order of the Collector passed on an appeal under sub-section (1) shall lie to the Commissioner within sixty days from the date of the order, provided that when the order of the Consolidation Officer is confirmed an appeal by the Collector, no second appeal shall lie.	
		Section 11 (3) ..	Any person aggrieved by an order of the Collector made under sub-section (4) of section 10 confirming, rejecting or modifying a scheme of consolidation submitted to him by the Consolidation Officer may, within sixty days from the date of the order, prefer an appeal to the Commissioner.	

		Section 13 (2) ..	A Commissioner or Collector may call for the record of any case under this Ordinance pending before or disposed of by, any Revenue Officer or Consolidation Officer under his control.	
		Section 13 (3) ..	If in any case in which a Collector has called for the record under sub-section (2), he is of opinion that the proceedings taken or order made should be modified or reversed, he shall report the case with his opinion thereon for the orders of the Commissioner.	
		Section 13 (4) ..	A Commissioner may in any case called for by him under sub-section (2) or reported to him under sub-section (3), pass such order as he thinks fit. Provided that no order shall be passed under this section reversing or modifying any proceedings or order of a subordinate Revenue Officer and affecting any question of right between private persons without giving those persons an opportunity of being heard.	
60	The West Pakistan Money Lenders Ordinance, 1960.	Section 8 (1) ..	An appeal shall lie to the Commissioner against an ordgr of the Collector passed under section 5 or an order refusing to grant a certificate under section 7.	
		Section 8 (4) ..	In an appeal from an order of the Collector under sub-section (3) of section 5, the Commissioner may exercise the powers conferred on the Collector by sub-section (1) and (2) of the said section.	
61	The West Pakistan Pure Food Ordinance Act, 1960.	Section 35 (3) ..	When the Deputy Commissioner makes any order under this section, he shall forthwith forward to the Commissioner and to the local authority affected thereby a copy of the order with a statement of the reasons for making it, and it shall be in the discretion of the Commissioner to rescind the order, or to direct that it may continue in force with or without modification.	
		Section 35 (4) ..	The Commissioner shall forthwith submit to Government a report of every case according under this section, and Government may confirm, revise or modify the order, or make in respect thereof any other order which the Commissioner could have made.	
62	The West Pakistan Hill Tract Improvement Ordinance, 1961.	Section 32 ..	As soon as or any time after any scheme has been carried out, the Trust may by a written requisition call upon a Local Body within whose jurisdiction any particular area covered by the scheme lies to take over and maintain any of the works and services in that area and in case of any dispute the matter shall be referred to the arbitration of the Commissioner whose decision shall be final and binding.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REBMAKS
1	2	3	4	5
62—*contd.*	The West Pakistan Hill Tract Improvement Ordinance, 1961 —*concld.*	Section 33(2) ..	If any question or disupute arises as to the sufficiency of the compensation paid or proposed to be paid under sub-section (1), the matter shall be referred to the Commissioner whose decision shall be final.	
		Section 35 (2) ..	If any question or dispute arises as to whether another drain or water-work is required, or as to the sufficiency of any drain or water-work provided by the Trust under sub-section (1) the matter shall be referred to the Commissioner, whose decision shall be final.	
		Section 42 (3) ..	If any difference of opinion arises between the Trust and the Local Body in respect of any matter referred to in the foregoing provisions of this section, the matter shall be referred to the Commissioner, whose decision shall be final.	

POWERS AND FUNCTIONS OF DEPUTY COMMISSIONERS/DISTRICT MAGISTRATES COLLECTRORS UNDER CENTRAL LAWS.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
1	The Judicial Officers Protection Act, 1850.	Section 1 ..	No Judge, Magistrate, Justice of the peace, Collector or other person acting judicially shall be liable to be sued in any Civil Court for any of act done or ordered to be done by him in the discharge of his judicial duty, whether or not within the limits of his jurisdiction : Provided that he at the time, in good faith, believed himself to have jurisdiction to do or order the act complained of; and no officer of any Court or other person, bound to execute the lawful warrants or orders of any such Judge, Magistrate, Justice of the Peace, Collector or other person acting judicially shall be liable to be sued in any Civil Court, for the execution of any warrant or order, which he would be bound to execute, if within the jurisdiction of the person issuing the same.	
2	The Apprentices Act, 1850 ..	Section 10 ..	No such contract shall be valid unless it be executed in the manner aforesaid, nor until it has been deposited in the office of the Chief Magistrate of the place or district where it has been executed, and the person in whose office any such contract is deposited shall, give to each of the parties a copy thereof, certified under his hand, which certified copies shall be received as evidence of the contract, without formal proof of the handwriting of the Magistrate * * *.	
		Section 11 ..	The terms of service may be changed at any time during the apprenticeship, or the contract may be determined, with the consent of both parties to the contract or their personal representatives, and with the consent of the apprentice if he is above the age of fourteen years; provided that the changes agreed to or the termination of the contract shall be expressed in writing on the original contract, with the signature of the proper parties according to section 9 of this Act; and the Magistrate *** shall thereupon make under his hand corresponding endorsement on the office copies, which shall be brought to him at the same time for that purpose.	

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POWERS AND FUNCTIONS OF DEPUTY COMMISSIONERS/DISTRICT MAGISTRATES/COLLECTORS UNDER CENTRAL LAWS.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
2	The Apprentices Act, 1850 ..	Sectiton 12 ..	The master of any apprentice bound under this Act may, with the consent of the person by whom he was bound, and with the consent of the apprentice if he is above the age of fourteen years, assign such apprentice to any other person, who is willing to take him for the residue of his apprenticeship, and subject to the conditions thereof; provided that such person shall by endorsement under his own hand on the contract, declare his acceptance of such apprentice, and acknowledge himself bound by the agreements and covenants therein mentioned to be performed on the part of the master, and that the consent of the other parties aforesaid shall be expressed in writing on the same, and signed by them respectively : And every such assignment shall be certified on the office copies of the contract under the hand of the magistrate according to the form given in Schedule (B) annexed to this Act.	
3	The Police Act, 1861 ..	Section 13 ..	It shall be lawful for the Inspector-General of Police, or any Additional Inspector-General, or any Deputy Inspector-General, or Assistant Inspector-General, or for the District Superintendent, subject to the general direction of the Magistrate of the District, on the application of any person showing the necessity thereof, to depute any additional number of Police-Officers to keep the peace at any place within the general police-district, and for such time as shall be deemed proper. Such force shall be exclusively under the orders of the District Superintendent, and shall be at the charge of the person making the application. Provided that it shall be lawful for the person on whose application such deputation shall have been made, on giving one month's notice in writing to the Inspector-General, Deputy Inspector-General, or Assistant Inspector-General, or the District Superintendent, to require that the police Officers so deputed shall be withdrawn; and such person shall be relieved from the charge of such additional force from the expiration of such notice.	

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		Section 15 (4) ..	The Magistrate of the district, after such enquiry as he may deem necessary, shall apportion such cost among the inhabitants who are, as aforesaid, liable to bear the same and who shall not have been exempted under the next succeeding sub-section. Such apportionment shall be made according to the Magistrate's judgment of the respective means within such area of such inhabitants.	
		Section 15-A (1) ..	If, in any area in regard to which any proclamation notified under the last preceding section is in force, death or grievous hurt or loss of, or damage to, property has been caused by or has ensued from the misconduct of the inhabitants of such area or any class or section of them it shall be lawful for any person, being an inhabitant of such area, who claims to have suffered injury from such misconduct to make, within one month from the date of the injury or such shorter period as may be prescribed, an application for compensation to the Magistrate of the district or of the sub-division of a district within which such area is situated.	
		Section 15-A (2) ..	It shall thereupon be lawful for the Magistrate of the district, with the sanction of the Provincial Government after such enquiry as he may deem necessary, and whether any additional police force has or has not been quartered in such area under the last preceding section to— (*a*) declare the persons to whom injury has been caused by or has ensued from such misconduct; (*b*) fix the amount of compensation to be paid to such persons and the manner in which it is to be distributed among them; and (*c*) assess the proportion in which the same shall be paid by the inhabitants of such area other than the applicant who shall not have been exempted from liability to pay under the next succeeding sub-section; Provided that the Magistrate shall not make any declaration or assessment under this sub-section, unless he is of opinion that such injury as aforesaid had arisen from a riot or unlawful assembly within such area, and that the person who suffered the injury was himself free from blame in respect of the occurrences which led to such injury.	
		Section 15-A (4) ..	Every declaration or assessment made or order passed by the Magistrate of the district under sub-section (2) shall be subject to revision by the Commissioner of the Division or the Provincial Government, but save as aforesaid shall be final.	
		Section 16 (1) ..	All moneys payable under sections 13, 14, 15 and 15-A shall be recoverable by the Magistrate of the district in the manner provided by sections 386 and 387 of the Code of Criminal Procedure, 1882, for the recovery of fines, or by suit in any competent Court.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
3—*contd.*	The Police Act, 1861—*contd.*	Section 16 (3) ..	All moneys paid or recovered under section 15-A shall be paid by the Magistrate of the district to the persons to whom and in the proportions in which the same are payable under that section.	
		Section 17 ..	When it shall appear that any unlawful assembly, or riot or disturbance of the peace has taken place, or may be reasonably apprehended, and that the police-force ordinarily employed for preserving the peace is not sufficient for its preservation and for the protection of the inhabitants and the security of property in the place where such unlawful assembly or riot or disturbance of the peace has occurred, or is apprehended, it shall be lawful for any police officer not below the rank of Inspector to apply to the nearest Magistrate to appoint so many of the residents of the neighbourhood as such police-officers may require to act as special police officers for such time and within such limits as he shall deem necessary; and the Magistrate to whom such application is made shall unless he see cause to the contrary, comply with the application.	
		Section 25 ..	It shall be the duty of every police officer to take charge of all unclaimed property, and to furnish an inventory thereof to the Magistrate of the district. The police officers shall be guided as to the disposal of such property by such orders as they shall receive from the Magistrate of the district.	
2		Section 26 (1) ..	The Magistrate of the district may detain the property and issue a proclamation, specifying the articles of which it consists, and requiring any person who has any claim thereto appear and to establish his right to the same within six months from the date of such proclamation.	
		Section 27 (1) ..	If no person shall within the period allowed claim such property, or the proceeds thereof, if sold, it may, if not already sold under sub-section (2) of the last preceding section, be sold under the orders of the Magistrate of the district.	
		Section 30 (2) ..	He may also, on being satisfied that it is intended by any person or class of persons to convene or collect an assembly in any such road, streets or thoroughfare, or to form a procession which would, in the judgment	

			of the Magistrate of the district, or of the sub-division of a district, if uncontrolled, be likely to cause a breach of the peace, require by general or special notice that the persons convening or collecting such assembly or directing or promoting such procession shall apply for a license.	
		Section 30 A (1) ..	Any Magistrate or District Superintendent of Police or Assistant District Superintendent of Police or Inspector of Police or any police officer in-charge of a station may stop any procession which violates the conditions of a licence granted under the last foregoing section, and may order it or any assembly which violates any such conditions as aforesaid to disperse.	
		Section 33 ..	Nothing in the last four preceding sections shall be deemed to interfere with the general control of the Magistrate of the district over the matters referred to therein.	
		Section 33-A (1) ..	In any town or other place in which he thinks fit, the Magistrate of the district may, from time to time and subject to such order as may have been made by a municipal or other authority empowered in that respect, make rules or orders— (*a*) closing certain streets or places temporarily, in cases of danger from ruinous buildings or other causes, with such exceptions as shall appear reasonable; (*b*) for guarding against injury to persons and property in the construction, repair and demolition of buildings, platforms and other structures from which danger may arise to passengers, neighbours or the public; (*c*) regulating the leading, driving, conducting or conveying of any elephant or wild or dangerous animal through or in any street; (*d*) prohibiting the hanging or placing or any cord of pole across a street or part thereof, or the making of a projection or structure so as to obstruct traffic or the free access of light and air; (*e*) prescribing certain hours of the day during which orders and offensive matter or objects shall not be taken from or into houses or buildings in certain streets or conveyed through such streets and during which cattle shall not be driven along the streets or along certain specified streets, except subject to such reasonable regulations as he may prescribe in that behalf;	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
3.—*concld.*	The Police Act, 1861—*concld*	Section 33-A (1)—*concld.*	(*f*) prohibiting the setting fire to or burning any straw or other matter, or lighting a bonfire, or want only discharging a fire-arm or air gun, or letting off or throwing a firework, or sending up a fire balloon in or upon or within fifty feet of a street or building or the putting up of any post or other thing on the side or across a street for the purpose of affixing thereto lamps or other contrivances for illumination, except subject to such reasonable regulations as he may prescribe in that behalf; (*g*) prohibiting, except under such reasonable regulations as the Magistrate of the district may impose, the making of any excavation, the placing of building materials or other articles, or the fastening or detention of any horse or other animal in any street; (*h*) prohibiting, save under such regulations as aforesaid, the exposure or movement in any street of persons or animals suffering from contagious or infectious diseases and the carcasses of animals or part thereof and the corpses of persons deceased; (*i*) setting apart places for the slaughtering of animals, the cleaning of carcasses or hides, the deposit of noxious or offensive matters, and for obeying calls of nature; (*j*) in cases of existing or apprehended epidemic or infectious diseases of men or animals, with respect to cleanliness and disinfection or premises by the occupier thereof and residents therein, and as to the segregation and management of the persons or animals diseased or supposed to be diseased, as may have been directed or approved by the Provincial Government with a view to prevent the disease or to check the spreading thereof; (*k*) directing the closing or disuse, wholly or for certain purposes or limiting to certain purposes only the use, of any source, supply or receptacle of water, and providing against pollution of the same or of the water therein;	

			(*l*) regulating the hours during which and the manner in which any place for the disposal of the dead, any Sarai, village-gate or other place of public resort may be used, so as to secure the equal and appropriate application, of its advantages and accommodation and to maintain orderly conduct amongst those who resort thereto;	
			(*m*) regulating the movement of persons, animals and vehicles at such times and such places at which, in the opinion of the Magistrate, special regulations may be necessary for the public safety and convenience; and	
			(*n*) prescribing the number of position of lights to be used on vehicles in streets and the hours between which such lights shall be used.	
		Section 33-A(2) ..	Every regulation made under clause (h) or made under clause (I) with respect to the use of a place for the disposal of the dead shall be framed with due regard to ordinary and established usages and to the necessities of prompt disposal of the dead in certain cases; and every rule or order made by the Magistrate of the district under clauses (c), (e), (f), (g), (h), (i) or (n) shall be published by affixing a copy thereof, in the language of the district on some public building in the town or place in which the same is to have operation, and a copy, in the language of the district, of every rules or order made under clauses (a), (b), (j), (k) or (l) shall be kept affixed in a conspicuous spot near to the building, structure, work or place to which the same specially relates.	
		Section 44 ..	It shall be the duty of every officer in charge of a police station to keep a general diary in such form as shall, from time to time, be prescribed by the Provincial Government and to record therein all complaints and charges preferred, the names of all persons arrested, the names of the complainants, the offences charged against them, the weapons or property that shall have been taken from their possession or otherwise, and the names of the witnesses who shall have been examined. The Magistrate of the district shall be at liberty to call for and inspect such diary.	
		Section 47 ..	It shall be lawful for the Provincial Government in carrying this Act into effect in any part of the territories subject to such Provincial Government, to declare that any authority which now is or may be exercised by the Magistrate of the district over any village shall be exercised, subject to the general control of the Magistrate of the district, by the District Superintendent of Police.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
4	The Waste Lands (Claims) Act, 1863.	Section 1 ..	When any claim shall be preferred to any waste land proposed to be sold, or otherwise dealt with on account of the Provincial Government or when any objection shall be taken to the sale or other disposition of such land, the Collector of the district in which such land is situate, or other officer performing the duties of a Collector of Land Revenue in such district by whatever name his office is designated, shall, if the claim or objection be preferred within the period mentioned in the advertisement to be issued for the sale or other disposition of such land, which period shall not be less than three months, proceed to make an enquiry into the claim or objections.	
		Section 2 ..	The Collector or other officer as aforesaid shall call upon the claimant or objector to produce any evidence, or documents, upon which he may rely in proof of his claim or objection; and after considering the same, and making any further enquiry that may appear proper, shall dispose of the case by an order for the admission or rejection of the claim or objection, and if the land is proposed to be sold, for the sale of the same subject to any condition or reservation, which, to such Collector or other officer as aforesaid, shall appear to be proper. If the land is ordered to be sold subject to any condition or reservation such condition or reservation shall be notified to intending purchasers at the time of sale.	
		Section 3 ..	Pending an enquiry into any claim or objection under the last preceding section, the Collector or other officer as aforesaid shall postpone the sale or other dispensation of the land; and, if he shall order that such claim or objection be rejected, he shall further postpone the sale or other disposition of the land, to allow the claimant or objector to contest the order of rejection in the manner hereinafter provided.	
		Section 4 ..	If the Collector or other officer, as aforesaid shall, consider the claim or objection to be established, and that the sale or other disposition of the land should not take place, he shall stop the sale or other disposition of the land;	

			But such sale or other disposition of the land may afterwards be proceeded with, if on an order issued to try the claim or objection, as provided in section 6 of this Act, the claimant or objector shall fail to establish the same.
		Section 5 ..	If the Collector or other officer as aforesaid shall order that the claim or objection be rejected or that the land be sold subject to any condition or reservation, or that it be otherwise dealt with, he shall cause a copy of such order to be delivered to the claimant or objector; And if such claimant or objector shall not, within one week from the delivery of such copy, or within such further time as the Collector or other officer as aforesaid, for any special reason to be recorded, shall see fit to grant, give notice in writing to such Collector or other officer as aforesaid, that he intends to contest such order, the order shall be final. If the claimant or objector shall, within the time allowed, give such notice, the Collector or other officer as aforesaid shall immediately make a report to the superior revenue authority to which he is immediately subordinate and shall forward with such report a copy of his order, stating fully all the circumstances of the case and the evidence adduced in support, or otherwise, of the claim or objection; And such authority as aforesaid confirm the order of the Collector or other officer as aforesaid, or modify such order in such manner as to leave any part of such order in force adverse to the claimant or objector, the Collector or other officers as aforesaid shall certify such order to the Court constituted as hereinafter provided; And such Court shall forthwith give notice to the claimant or objector; And if such claimant or objector shall not institute a suit in such Court establish his claim or objection, the order of the Authority aforesaid shall be final.
		Section 6 ..	The Provincial Government may, within twelve months after the date on which the claim of any claimant of waste land, or the objection of any objector, as aforesaid, shall have been admitted under this Act by the Collector or other officer as aforesaid, direct a suit to be brought to try the claim or objection of the claimant or objector, in a Court constituted as hereinafter provided.
		Section 7 ..	For the investigation and trial oif claims under this Act, the Provincial Government shall constitute, n every district in which there may be any waste lands capable of being sold, or otherwise dealt with, on account of the Provincial Government, a Court consisting of an uneven number of persons, not less than three, of whom the Judge of the district, or the officer presiding in the principal Civil Court of original jurisdiction in the district, by whatever name his office may be designated shall be one.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
4—*contd.*	The Waste Lands (Claims) Act, 1863—*contd.*	Section 7—*concld.*	Anyone or more of the members of which such Court shall consist shall have power to make all such orders in the case as may be necessary prior to the hearing of the suit: Provided that, whenever the Collector, or other officer, by whom the original enquiry was held, is the officer presiding in the principal Civil Court of original jurisdiction in the district, such officer shall not be a member of such Court.	
		Section 8 ..	Whenever any Court is constituted under this Act, notice thereof shall be given by a written proclamation, copies of which shall be affixed in the several Courts, and in the offices of the several Collectors and Magistrates of the district; And from the date of the issue of such proclmation no other Court shall be competent to entertain any claim or objection belonging to the class of claims or objections for the trial and determination of which such court is constituted. The Courts constituted under this Act shall be held at such place, or places, within the limits of their respective jurisdictions, as shall be considered most convenient.	
		Section 10 ..	In every suit instituted under section 5 of this Act, the claimant of the waste land, or objector to the sale or other disposition of such land, shall appear as plaintiff; and the Collector, or other officer aforesaid, shall appear as defendant on the part of the Provincial Government. Either party may appear by pleader or by agent: Provided that if such other officer as aforesaid be the presiding officer of the Principal Civil Court of original jurisdiction in the district, the Provincial Government shall appoint some other officer to appear as defendant in the case on its behalf. In any suit ordered to be instituted under section 6 of this Act, the Provincial Government by any officer, to be appointed for the purpose, shall appear as plaintiff; and the claimant or objector as aforesaid shall appear as defendant.	

		Section 18 ..	No claim to land, or to compensation or damages in respect of any land, sold or otherwise dealt with on account of the Provincial Government as waste land, shall be received after the expiration of three years from the date on which such land shall have been delivered by the Provincial Government to the purchaser, or otherwise dealt with. If within three years after any lands have been delivered by the Provincial Government to the purchaser, or otherwise dealt with, any claimant or objector shall prefer a claim to the land so delivered, or otherwise dealt with, or an objection to such sale, or to compensation or damages in respect thereof, in the Court constituted under this Act for the district in which the land is situate; and shall show good and sufficient reason for not having preferred his claim or objection to the Collector or other officer as aforesaid, within the period limited under section 1 of this Act; such Court shall file the claim or objection, making the claimant or objector, plaintiff, and the Collector of the district or other officer as aforesaid (with the like provision as aforesaid if such other officer be the presiding officer of the principal Civil Court of original jurisdiction in the district, the defendant in the suit ; and the foregoing provision of this Act shall be applicable to the trial and determination of the suit. The report of the officer employed to give delivery. or to take possession, on the part of the Provincial Government, of the land sold or otherwise dealt with, shall be conclusive evidence as to the date on which such delivery was made, or possession, was taken.	
		Section 22 ..	Nothing in this Act shall be held to prevent the Provincial Government from awarding, to any claimant of waste land sold on account of the Provincial Government, on proof to the satisfaction of the Provincial Government of the claim of such claimant (notwithstanding that he may not have preferred his claim either to the Collector or other officer as aforesaid or to the proper Court constituted under this Act, within the period prescribed by this Act), such amount as compensation for the said land, within the limit as to amount mentioned in section 19 of this Act, if the land have been sold not subject to any condition or reservation, as to such Provincial Government may seem proper.	
		Section 23 ..	If the land have been sold subject to any condition or reservation, or have been otherwise disposed of, on account of the Provincial Government, and any claim to such land, or objection to the sale or other disposition of the land, shall be proved to the satisfaction of the Provincial Government, although not preferred to the Collector or other officer as aforesaid, or to the Court constituted under this Act, within the period prescribed by this Act, the Provincial Government may award to such claimant or objector such amount as to such Provincial Government may appear to be the value of the interest of such claimant or objector in such land.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
5	The Public Gambling Act, 1867	Section 5 ..	If the Magistrate of a district or other officer invested with the full powers of a Magistrate, or the District Superintendent of Police upon credible information, and after such enquiry as he may think necessary, has reason to believe that any house, walled enclosure, room or place, is used as a common gaming-house ; he may either himself enter, or by his warrant authorise any officer of police, not below such rank as the Provincial Government shall appoint in this behalf to enter with such assistance as may be found necessary, by night or by day, and by force, if necessary, any such house, walled enclosure, room or place; and may either himself take into custody, or authorise such officer to take into custody, all pesons whom he or such officer finds therein, whether or not then actually gaming ; and may seize or authorise such officer to seize all instruments of gaming, and all moneys and securities for money, and articles of value, reasonably suspected to have been used or intended to be used for the purpose of gaming which are found therein ; and may search or authorise such officer to search all part of the house, walled enclosure, room or place which he or such officer shall have so entered when he or such officer has reason to believe that any instruments of gaming are concealed therein, and also the person of those whom he or such officer so takes into custody ; and may seize or authorise such officer to seize and take possession of all instruments of gaming found upon such search.	
6	The Sarais Act, 1867 ..	Section 3 ..	Within six months after this Act shall come into operation, the Magistrate of the District in which any sarai to which this Act shall apply may be situate shall, and from time to time thereafter such Magistrate may, give to the keeper of every such sarai notice in writing of this Act, by leaving such notice for the keeper at the sarai; and shall by such notice require the keeper to register the sarai as by this Act provided.	

			Such notice may be in the form in the schedule to this Act annexed or to the like effect.	
		Section 4 ..	The Magistrate of the District shall keep a register in which shall be entered by such Magistrate or such other person as he shall appoint in this behalf the names and residences of the keepers of all sarais within his jurisdiction, and the situation of every such sarai. No charge shall be made for making any such entry.	
		Section 6 ..	The Magistrate of the district may, if he shall think fit, refuse to register as the keeper of a sarai a person who does not produce a certificate of character in such form and signed by such person as the Provincial Government shall from time to time direct.	
		Section 7 ..	The keeper of a sarai shall be bound— (*i*) when any person in such sarai is ill of any infect'ous or contagious disease, or dies of such disease, to give immedate notice thereof to the nearest police station (2) at all times when required by any Magistrate or any other person duly authorised by the Magistrate of the district in this behalf, to give him free access to the sarai and allow him to inspect the same or any part thereof; (3) to thoroughly cleanse the rooms and verandahs and drains of the sarai, and the wells, tanks, or other sources from which water is obtained for the persons or animals using it, to the satisfaction of, and so often as shall be required by, the Magistrate of the district, or such person as he shall appoint in this behalf: (4) to remove all noxious vegetation on or near the sarai, and all trees and branches of trees capable of affording to thieves means of entering or leaving the sarai: (5) to keep the gates, walls, fences, roofs and drains of the sarai in repair: (6) to provide such number of watchmen as may, in the opinion of the Magistrate of the district, subject to such rules as the Provincial Government may prescribe in this behalf, be necessary for the safety and protection of persons and animals or vehicles lodging in, halting at or placed in the sarai; and (7) to exhibit a list of charges for the use of the sarai at such place and in such form and languages as the Magistrate of the district shall from time to time direct.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
6—*contd.*	The Sarai Act, 1867—*contd.*	Section 8 ..	The keeper of a sarai shall from time to time, if required so to do by an order of the Magistrate of the district served upon him, report, either orally or in writing as may be directed by the Magistrate to such Magistrate or to such person as the Magistrate shall appoint, every person who resorted to such sarai during the preceding day or night. If written reports are required for any space of time exceeding a single day or night, schedules shall be furnished by the Magistrate of the District to the keeper. The keeper shall from time to time fill up the said schedules with the information so required, and transmit them to the said Magistrate, in such manner and at such intervals as may from time to timebe ordered by him.	
		Section 9 ..	If any sarai by reason of abandonment or of disputed ownership shall remain untenanted, and there by become a resort of idle and disorderly persons, or become in a filthy or unwholesome state, or be complained of by any two or more of the neighbours as a nuisance, the Magistrate of the district, after due enquiry, may cause notice in writing to be given to the owner or to the person claiming to be the owner, if he be known and resident within the district, and may also cause such notice to be put on some conspicuous part of the sarai, requiring the persons concerned therein, whoever they may be, to secure, enclose, clean or clear the same; and if such requisition shall not be complied with within eight days, the Magistrate of the district may cause the necessary work to be executed, and all expenses thereby incurred shall be paid by the owner of the sarai, and shall be recoverable like penalties under this Act, or in case of abandonment or disputed ownership of the sarai, by the sale of any material found therein.	
		Section 10 ..	If a sarai or any part thereof be deemed by the Magistrate of the district to be in a ruinous state, or likely to fall or in any way dangerous to the persons or animals lodging in or halting at the sarai he shall give notice in writing to the keeper of the sarai requiring him forthwith to take down, repair or secure (as the case may be) the sarai or such part thereof as the case may require.	

			If the keeper does not begin to take down, repair or secure the sarai, or such part as aforesaid within three days after such notice, and complete such work with the diligence, the Magistrate shall cause all or so much of the sarai as he shall think necessary to be taken down, repaired or otherwise secured. All the expenses so incurred by the Magistrate shall be paid by the keeper of the sarai, and shall be recoverable from him as hereinafter mentioned.	
		Section 11 ..	If any sarai or any part thereof be taken down by virtue of the powers aforesaid, the Magistrate of the district may sell the materials thereof, or so much of the same as shall be taken down under the provisions of the last preceding section, and apply the proceeds of such sale in payment of the expenses incurred, and shall restore the over-plus (if any) arising from such sale to the owner of such sarai on demand, and may recover the deficiency (if any) as if the amount thereof were a penalty under this Act.	
		Section 12 ..	Whoever, being the keeper of any sarai, suffers the same to be in a filthy and unwholesome state, or overgrown with vegetation, or after the expiration of two days from the time of his receiving notice in writing from the Magistrate of the district to cleanse or clear the same, or after he shall have been convicted of suffering the same to be in such a state or so overgrown as aforesaid, shall allow the same to continue in such state, or so overgrown, shall be liable to the penalties provided in section 14 of this Act; Provided that the Magistrate of the district may, in lieu of enforcing such daily penalty, enter on and cleanse or clear the said sarai, the expense incurred by the Magistrate in respect thereof shall be paid to him by the keeper, and shall be recoverable as by this Act provided in the case of penalties.	
		Section ..	Where a keeper of a sarai is convicted of a third offence under this Act, he shall not afterwards act as keeper of a sarai without a licence in writing of the Magistrate of the district, who may either withhold such licence or the same on such terms and conditions as he may think fit.	
7	The Court Fees Act, 1870 ...	Section 13 ..	If an appeal or plaint, which has been rejected by the lower Court on any of the grounds mentioned in the Code of Civil Procedure, is ordered to be received, or if a suit is remanded in appeal, on any of the grounds mentioned in section 351 of the same Code for a second decision by the lower Court, the Appellate Court shall grant to the appellant a certificate, authorising him to receive back from the Collector the full amount of fee paid on the memorandum of appeal. Provided that if, in the case of remand in appeal, the order of remand shall not cover the whole of the subject-matter of the suit, the certificate so granted shall not authorize the appellant to receive back more than so much fee as would have been originally payable on the part or parts of such subject-matter in respect whereof the suit has been remanded.	

Serial No.	Act Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
7—*contd.*	The Court Fees Act 1870—*concld.*	Section 14 ..	Where an application for a review of judgment is presented on or after the ninetieth day from the date of the decree, the Court, unless the delay was caused by the applicant's laches, may, in its discretion, grant him a certificate authorising him to receive back from the Collector so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day.	
		Section 15 ..	Where an application for a review of judgment is admitted, and where, on the rehearing, the Court reverses or modifies its former decision on the ground of mistake in law or fact, the applicant shall be entitled to a certificate from the Court authorising him to receive back from the Collector so much of the fee paid on the application as exceeds the fee payable on any other application to such Court under the second schedule to this Act, No. 1, clause (*b*) or clause (*d*). But nothing in the former part of this section shall entitle the applicant to such certificate where the reversal or modification is produced at the original hearing.	
		Section 19-H (3) ..	The Collector within the local limits of whose revenue jurisdiction the property of the deceased or any part thereof is, may at any time inspect or cause to be inspected, and take or cause to be taken copies of the record of any case in which application for probate or letters of administration has been made; and if, on such inspection or otherwise, he is of opinion that the petitioner has under-estimated the value of the property of the deceased, the Collector may, if he thinks fit, require the attendance of the petitioner (either in person or by agent) and take evidence and inquire into the matter in such manner as he may thinks fit, and, if he is still of opinion that the value of the property has been under-estimated, may require the petitioner to amend the valuation.	

		Section 19H (4) ..	If the petitioner does not amend the valuation to the satisfaction of the Collector, the Collector may move the Court before which the application for probate or letters of administration was made, to hold an inquiry into the true value of the property : Provided that no such motion shall be made after the expiration of six months from the date of the exhibition of the inventory required by section 277 of the Indian Succession Act, 1865, or, as the case may be, by section 98 of the Probate and Administration Act, 1881.	
		Section 19H (5) ..	The Court, when so moved as aforesaid, shall hold, or cause to be held, an inquiry accordingly, and shall record a finding as to the true value, as near as may be, at which the property of the deceased should have been estimated. The Collector shall be deemed to be a party to the inquiry.	
		Section 19 I(2) ..	The grant of probate or letters of administration shall not be delayed by reason of any motion made by the Collector under section 19H, sub-section (4).	
		Section 19J (1) ..	Any excess fee found to be payable on an inquiry held under section 19H, sub-section (6), and any penalty or forfeiture under section 19G., may, on the certificate of the Chief Controlling Revenue Authority, be recovered from the executor or administrator as if it were an arrear of land-revenue by any Collector;	
		Section 22 ..	Subject to rules to be made by the High Court and approved by the Provincial Government; every District Judge and every Magistrate of a District shall fix, and may from time to time alter, the number of peons necessary to be employed for the service and execution of processes issued out of his Court and each of the Courts subordinate thereto, and for the purposes of this section, every court of Small Causes established under Act No. XI of 1865 to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the ordinary original civil jurisdiction of the High Court of Judicature) shall be deemed to be subordinate to the Court of the District Judge.	
		Section 23 ..	Subject to rules to be framed by the Chief Controlling Revenue Authority and approved by the Provincial Government, every officer performing the functions of a Collector of a District shall fix, and may from time to time alter, the number of peons necessary to be employed for the service and execution of processes issued out of his Court or the Courts subordinate to him.	

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Serial No.	Act, Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
			BALUCHISTAN CODE—CONTD.	
8	The Female Infanticide Prevention Act, 1870	Section 6 ..	If it appears to the Magistrate of the District that any person, to whom the notification mentioned in section 1 applies, neglects to make proper provision for the maintenance of any female child for whose maintenance he is legally responsible, and that the life or health of such child is thereby endangered, such Magistrate may, in his discretion, place the child under such supervision as he may think proper, and shall, if necessary, remove the child from the custody of such person. The Magistrate of the District may order him to make a monthly allowance for the maintenance of the child at such monthly rate not exceeding fifty rupees as to such Magistrate shall seem reasonable, and, if such person wilfully neglects to comply with such order, such Magistrate may, for every breach of the order, by warrant direct the amount due to be levied in manner provided by section 61 of the Code of Criminal Procedure. Nothing in this section shall effect the powers of a Magistrate under section 316 of the same Code.	
9	The Cattle Tresspass Act, 1871	Section 4 ..	Pounds shall be established at such places as the Magistrate of the District, subject to the general control of the Provincial Government, from time to time directs. The village by which every pound is to be used shall be determined by the Magistrate of the District.	
		Section 5 ..	The pounds shall be under the control of the Magistrate of the District; and he shall fix, and may from time to time alter, the rates of charge for feeding and watering impounded cattle.	
		Section 12 ..	For every head of cattle impounded as aforesaid, the pound-keepers shall levy a fine in accordance with the scale for the time being prescribed by the Provincial Government in this behalf by notification in the official Gazette. Different scales may be prescribed for different local areas.	

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			All fines so levied shall be sent to the Magistrate of the District through such officer as the Provincial Government may direct.	
		Section 14 ..	If the cattle be not claimed within seven days from the date of their being impounded, the pound-keeper shall report the fact to the officer in charge of the nearest police station, or to such other officer as the Magistrate of the District appoints in this behalf. If the cattle be not claimed within seven days from the date of the notice, they shall be sold by public auction by the said officer, or an officer of his establishment deputed for that purpose, at such place and time and subject to such conditions as the Magistrate of the District by general or special order from time to time directs: Provided that, if any such cattle are, in the opinion of the Magistrate of the District, not likely to fetch a fair price if sold as aforesaid, they may be disposed of in such manner as he thinks fit.	
		Section 17 ..	The officer by whom the sale was made shall send to the Magistrate of the District the fines so deducted. The surplus unclaimed proceeds of the sale of cattle shall be sent to the Magistrate of the District, who shall hold them in deposit for three months, and, if not claimed thereto be preferred and established within that period, shall, at its expiry, be deemed to hold them as part of the revenue of the Province.	
		Section 20 ..	Any person whose cattle have been seized under this Act, or, having been so seized, have been detained in contravention of this Act, may, at any time within ten days from the date of the seizure, make a complaint to the Magistrate of the District or any Magistrate authorised to receive and try charge without reference by the Magistrate of the District.	
10	The Pensions Act, 1871 ..	Section 5 ..	Any person having a claim relating to any such pension or grant may prefer such clai to the Collector of the District or Deputy Commissioner or other officer authorised in this behalf by the appropriate Government; and such Collector, Deputy Commissioner or other officer shall dispose of such claim in accordance with such rules as the Chief Revenue-authority may, subject to the general control of the appropriate Government, from time to time prescribe in this behalf.	
		Section 6 ..	A Civil Court, otherwise competent to try the same, shall take cognizance of any such claim upon receiving a certificate from such Collector, Deputy Commissioner or other officer authorised in that behalf that the case may be so tried, but shall not make any order or decree in any suit whatever by which the liability of Government to pay any such pension or grant as aforesaid is affected directly or indirectly.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
10—*concld.*	The Pension Acts 1871—*concld.*	Section 8 ..	All pensions or grants by Government of money or land-revenue shall be paid by the Collector or the Deputy Commissioner or other authorised officer, subject to such rules as may, from time to time, be prescribed by the Chief Controling Revenue Authority.	
11a	The Punjab Laws Act, 1872 (Criminal Judicature).	Section 39-D ..	When the Provincial Government has, under section 39-C., directed that taxes shall be levied in any town or village, the Deputy Commissioner may from time to time issue a public notice in such town or village explaining the nature of the taxes he proposes to levy. Any inhabitant of such town or village objecting to the taxation thus proposed may, within fifteen days from the publication of such notice, send his objection in writing to the Deputy Commissioner. After the expiry of fifteen days from the publication of the notice, the Deputy Commissioner may submit for the information of the Provincial Government a report of the proposal made by him. Such report shall contain specific mention of the objection (if any) urged to his proposal and his opinion on such objection. No such tax shall be levied until it has, upon such report, been approved by the Provincial Government.	
		Section 39-E ..	When any such tax has been so approved by the Provincial Government, the Deputy Commissioner may from time to time subject to such rules consistent with this Act as the Provincial Government may from time to time prescribed determine the rates at which it is to be levied.	
11b	The Punjab, Laws Act, 1872 (Track Law).	Section 42 ..	If such headman or watchman do not forthwith give such assistance, or if the inhabitants of such village do not afford full opportunity for search in their houses for the offenders, or, if from the circumstances of the case, there shall appear good reason to believe that the inhabitants of such village, or any of them were conniving at the offence or at the escape of the offenders, and such offenders cannot be traced beyond the village, the Magistrate of the District may, with the previous sanction of the Commissioner of the Division inflict a fine upon such village not exceeding five hundred rupees, except in the case of stolen property over five hundred rupees in value, in which case the fine shall not exceed the value of such property.	

			An appeal against all convictions under this section shall lie to the High Court at Lahore.	
			The Magistrate may direct that the fine imposed under this section or any part thereof shall be awarded to any persons injured by such offence in compensation for such injury; in the case of stolen property recovered through the agency of a tracker, may direct that such property be not restored to its owner until he has paid to such tracker such fee, not exceeding one-fourth part of the value of the stolen property, as the said Magistrate seems fit.	
	The Punjab Laws Act, 1872 (armed men and foreign Vagrants).	Section 45 ..	The Magistrate of the District may, if he considers that any band of foreign vagrants is likely to occasion a breach of the peace or to commit any offence under the Pakistan Penal Code, prohibit such band from entering his district; or, if they are already in his district, may require them within a given time to leave it.	
		Section 46 ..	If any such band fail to comply with the orders of the said Magistrate within the prescribed period, he shall report the matter to the Provincial Government, and the Provincial Government may give such directions for the surveillance, control or deportation of such band as to it seems fit.	
12	Christian Marriage Act, 1872 ..	Section 7 ..	When there is only one Marriage Registrar in a district, and such Registrar is absent from such district, or ill, or when his office is temporarily vacant, the Magistrate of the district shall act as, and be, Marriage Registrar thereof during such absence, illness or temporary vacancy.	
13	The Canal and Drainage Act, 1873.	Section 7 ..	As soon as is practicable after the issue of such notification, the Collector shall cause public notice to be given at convenient place, stating that the Provincial Government intends to apply or use the said water as aforesaid, and that claims for compensation in respect of the matters mentioned in section 8 may be made before him.	
		Section 9 ..	No claim for compensation for any such stoppage, diminution or damage shall be made after the expiration of one year from such stoppage, diminution or damage, unless the Collector is satisfied that the claimant had sufficient cause for not making the claim within such period.	
		Section 10 ..	The Collector shall proceed to enquire into any such claim, and to determine the amount of compensation, if any, which should be given to the claimant; and sections 9 to 12 (inclusive) 14 and 15, 18 to 23 (inclusive), 26 to 40 (inclusive) 51, 57, 58 and 59 of the Land Acquisition Act, 1870, shall apply to such inquires:	
		Section 14 ..	In every case of entry under this section, the Canal Officer shall, at the time of such entry, tender compensation for any damage which may be occasioned by any proceeding under this section; and, in case of dispute as to the sufficiency of the amount so tendered, he shall forthwith refer the same for decision by the Collector, and such decision shall be final.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
13—*contd.*	The Canal and Drainage Act 1873—*contd.*	Section 15 ..	In case of any accident happening or being apprehended to a canal any Divisional Canal Officer or any person acting under his general or special orders in this behalf may enter upon any lands adjacent to such canal, and may execute all works which may be necessary for the purpose of repair or preventing such accident.	
			In every such case such Canal Officer or person shall tender compensation to the properties or occupiers of the said lands for all damage done to the same. If such tender is not accepted, the Canal Officer shall refer the matter to the Collector, who shall proceed toward compensation for the damage as though the Provincial Government had directed the occupation of the lands under section 43 of the Land Acquisition Act, 1870.	
		Section 16 ..	Any person desiring to use the water of any canal may apply in writing to the Divisional or Sub-Divisional Canal Officer of the Division or Sub-Division of the canal from which the water-course is to be supplied, requesting such officer to construct or improve a water-course at the cost of the applicants.	
			The application shall state the works to be undertaken, their approximate estimated cost, or the amount which the applicants are willing to pay for the same, or whether they engage to pay the actual cost as settled by the Divisional Canal Officer, and how the payment is to be made.	
			When the assent of the Superintending Canal Officer is given to such application, all the applicants shall, after the application has been duly attested before the Collector, be jointly and severally liable for the cost of such works to the extent mentioned therein.	
			Any amount becoming due under the terms of such application, and not paid to the Divisional Canal Officer, or the person authorised by him to receive the same, on or before the date on which it becomes due, shall, on demand of such officer, be recoverable by the Collector as if it were an arrear of land revenue.	

		Section 17 ..	There shall be provided, at the cost of the Provincial Government, suitable means of crossing canals constructed or maintained at the cost of the Provincial Government, at such places as the Provincial Government thinks necessary for the reasonable convenience of the inhabitants of the adjacent lands. On receiving a statement in writing, signed by not less than five of the owners of such lands, to the effect that suitable crossings have not been provided on any canal, the Collector shall cause enquiry to be made into the circumstances of the case, and if he thinks that the statement is established, he shall report his opinion thereon for the consideration of the Provincial Government, and the Provincial Government shall cause such measures in reference thereto to be taken as it thinks proper.	
		Section 18 ..	The Divisional Canal Officer may issue an order to the persons using any water-course to construct suitable bridges, culverts or other works for the passage of the water of such water-course across any public road, canal or drainage-channel in use before the said water-course was made, or to repair any such works. Such order shall specify a reasonable period within which such construction or repairs shall be completed ; and if, after the receipt of such order, the persons to whom it is addressed do not, within the said period, construct or repair such works to the satisfaction of the said Canal Officer, he may, with the previous approval of the Superintending Canal Officer, himself construct or repair the same ; and if the said persons do not; when so required, pay the cost of such construction or repairs as declared by the Divisional Canal Officer, the amount shall, on the demand of the Divisional Canal Officer, be recoverable from them by the Collector as if it were an arrear of land revenue.	
		Section 19 ..	If any person, jointly responsible with others for the construction or maintenance of a water-course, or jointly making use of a water-course with others, neglects or refuses to pay his share of the cost of such construction or maintenance, or to execute his share of any work necessary for such construction or maintenance, the Divisional or Sub-Divisional Canal Officer, on receiving an application in writing from any person injured by such neglect or refusal, shall serve notice on all the parties concerned that, on the expiration of a fortnight from the service, he will investigate the case; and shall, on the expiration of that period, investigate the case accordingly, and make such order thereon as to him seems fit. Such order shall be appealable to the Commissioner, whose order thereon shall be final.	

Serial No.	Act/Ordinance	Section	Nature and extent of power to	REMARKS
1	2	3	4	5
13—*contd.*	The Canal and Drainage Act 1873—*contd.*	Section 19—*concld.* ..	Any sum directed by such order to be paid within a specified period may, if not paid within such period, and if the order remains in force, be recovered by the Collector, from the person directed to pay the same, as if it were an arrear of land revenue.	
		Section 22 ..	If the Divisional Canal Officer considers— (1) that the construction of such water-course is expedient, and (2) that the statements in the application are true, he shall call upon the applicant to make such deposit as the Divisional Canal Officer considers necessary to defray the cost of the preliminary proceedings, and the amount of any compensation which he considers likely to become due under section 28; and upon such deposit being made, he shall cause enquiry to be made into the most suitable alignment for the said water-course and shall mark out the land which, in his opinion, it will be necessary to occupy for the construction thereof, and shall forthwith publish a notice in every village through which the water-course is proposed to be taken, that so much of such land as belongs to such village has been so marked out, and shall send a copy of such notice to the Collector of every district in which any part of such land is situate.	
		Section 23 ..	Any person desiring that an existing water-course should be transferred from its present owner to himself may apply in writing to the Divisional Canal Officer, stating— (1) that he has endeavoured unsuccessfully to procure such transfer from the owner of such water-course; (2) that he desires the said Canal Officer, in his behalf and at his cost, to do all things necessary for procuring such transfer ; (3) that he is able to defray the cost of such transfer.	

			If the Divisional Canal Officer considers— (*a*) that the said transfer is necessary for the better management of the irrigation from such water-course, and (*b*) that the statements in the application are true, he shall call upon the applicant to make such deposit as the Divisional Canal Officer considers necessary to defray the cost of the preliminary proceedings, and the amount of any compensation that may become due under the provision of section 28 in respect of such transfer; and upon such deposit being made, he shall publish a notice of the application in every village, and shall send a copy of the notice to the Collector of every district through which such water-course passes.	
		Section 24 ..	Within thirty days from the publication of a notice under section 22 or section 23, as the case may be, any person interested in the land or water-course to which the notice refers may apply to the Collector by petition, stating his objection to the construction or transfer for which application has been made. The Collector may either reject the petition or may proceed to inquire into the validity of the objection, giving previous notice to the Divisional Canal Officer of the place and time at which such inquiry will be held. The Collector shall record in writing all orders passed by him under this section and the grounds thereof.	
		Section 25 ..	If no such objection is made, or (where such objection is made) if the Collector over rules it, he shall give notice to the Divisional Canal Officer to that effect, and shall proceed forthwith to place the said applicant in occupation of the land marked out or of the water-course to be transferred, as the case may be.	
		Section 26 ..	If the Collector considers any objection made as aforesaid to be valid he shall inform the Divisional Canal Officer accordingly ; and, if such officer sees fit, he may, in the case of an application under section 21, after the boundaries of the land so marked out, and may give fresh notice under section 22; and the procedure hereinbefore provided shall be applicable to such notice, and the Collector shall thereupon proceed as before provided.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
13—*contd.*	The Canal and Drainage Act 1873—*contd.*	Section 27 ..	If the Canal Officer disagrees with the Collector, the matter shall be referred for decision to the Commissioner. Such decision shall be final, and the Collector, if he is so directed by such decision, shall, subject to the provision of section 28, cause the said applicant to be placed in occupation of the land so marked out or of the water-course to be transferred, as the case may be.	
		Section 28 ..	No such applicant shall be placed in occupation of such land or water-course until he has paid to the person named by the Collector such amount as the Collector determines to be due as compensation for the land or water-course so occupied or transferred, and for any damage caused by the marking out or occupation of such land, together with all expenses incidental to such occupation of transfer. In determining the compensation to be made under this section the Collector shall proceed under the provisions of the Land Acquisition Act, 1870; but he may, if the person to be compensated so desires, award such compensation in the form of a rent-charge payable in respect of the land or water-course occupied or transferred. If such compensation and expenses are not paid when demanded by the person entitled to receive the same, the amount may be recovered by the Collector as if it were an arrear of land revenue, and shall, when recovered, be paid by him to the person entitled to receive the same.	
		Section 29 ..	*Fourth*—The applicant or his representative in-interest shall, so long as he occupies such land or water-course, pay rent for the same at such rates and on such days as are determined by the Collector when the applicant is placed in occupation. *Sixth*—The Collector may, on the application of the person entitled to receive such rent or compensation, determine the amount of rent due or assess the amount of such compensation; and, if any such rent or compensation be not paid by the applicant or his representative in-interest, the Collector may recover the amount, with interest thereon at the rate of six per cent per annum from the date on which it became due, as if it were an arrear of land revenue, and shall pay the same, when recovered, to the person to whom it is due.	

		Section 32(c) ..	If the supply of water to any land irrigated from a canal be interrupted otherwise than in the manner described in the last preceding clause, the occupier or owner of such land may present a petition for compensation to the Collector for any loss arising from such interruption, and the Collector may award to the petitioner reasonable compensation for such loss.	
		Section 45 ..	Any sum lawfully due under this Part, and certified by the Divisional Canal Officer to be so due, which remains unpaid after the day on which it became due, shall be recoverable by the Collector from the person liable for the same as if it were an arrear of land revenue.	
		Section 46 ..	The Divisional Canal Officer or the Collector may enter into an agreement with any person for the collection and payment to the Provincial Government by such person of any sum payable under this Act by a third party. When such agreement has been made, such person may recover such sum by suit as though it were a debt due to him, or an arrear of rent due to him on account of the land, work or building in respect of which such sum is payable, or for in which the canal water shall have been supplied or used. If such person makes default in the payment of any sum collected by him under this section, such sum may be recovered from him by the Collector under section 45; and, if such sum or any part of it be still due by the said third party, the sum or part so due may be recovered in like manner by the Collector from such third party.	
		Section 47 ..	The Collector may require the lambardar, or person under engagement to pay the land revenue of any estate, to collect and pay any sums payable under this Act by a third party, in respect of any land or water in such estate. Such sums shall be recoverable by the Collector as if they were arrears of land revenue due in respect of the defaulter's share in such estate ; and for the purpose of collecting such sums from the subordinate zamindars, raiyats, tenants or sub-tenants, such lambardar or person may exercise the powers, and shall be subject to the rules, laid down in the law for the time being in force in respect to the collection by him of the rents of land or of shares of land revenue.	
		Section 56 ..	The Divisional Canal Officer, or other person authorised by the Provincial Government in that behalf, may after such publication issue an order to the person causing or having control over any such obstruction to remove or modify the same within a time to be fixed in the order.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
13—*contd.*	The Canal Drainage Act, 1873—*contd.*	Section 56—*concld.*	If, within the time so fixed, such person does not comply with the order, the said Canal Officer may himself remove or modify the obstruction ; and if the person to whom the order was issued does not, when called upon, pay the expenses involved in such removal or modification, such expenses shall be recoverable by the Collector from him or his representative in interest as an arrear of land revenue.	
		Section 61 ..	Whenever, in pursuance of a notification made under section 55, any obstruction is removed or modified, or whenever any drainage work is carried out under section 57, all claims for compensation on account of any loss consequent on the removal or modification of the said obstruction or the construction of such work may be made before the Collector, and he shall deal with the same in the manner provided in section 10.	
		Section 62 ..	No such claim shall be entertained after the expiration of one year from the occurrence of the loss complained of, unless the Collector is satisfied that the claimant had sufficient cause for not making the claim within such period.	
		Section 64 ..	In any district in which a canal or drainage-work is constructed, maintained or projected by the Provincial Government, the Provincial Government may, if it thinks fit, direct the Collector (a) to ascertain the proprietors, sub-proprietors or farmers whose villages or estates are or will be in the judgment of the Collector, benefited by such canal or drainage work, and (b) to set down in a list, having due regard to the circumstances of the districts and of the several proprietors, sub-proprietors or farmers, the number of labourers which shall be furnished by any of the said persons, jointly or severally, from any such village or estate, for employment on any such canal or drainage work when required as hereinafter provided. The Collector may, from time to time, add to or alter such list or any part thereof.	

		Section 68 ..	Whenever a difference arises between two or more persons in regard to their mutual rights or liabilities in respect of the use, construction or maintenance of a water-course, any such person may apply in writing to the Divisional Canal Officer stating the matter in dispute. Such officer shall thereupon give notice to the other persons interested that, on a day to be named in such notice, he will proceed to inquire into the said matter. And, after such inquiry, he shall pass his order thereon, unless he transfers (as he is hereby empowered to do) the matter to the Collector, who shall thereupon inquire into and pass his order on the said matter. Such order shall be final as to the use or distribution of water for any crop sown or growing at the time when such order is made, and shall thereafter remain in force until set aside by the decree of a Civil Court.	
14	Dramatic Performances Act, 1876.	Section 3 ..	Whenever the Provincial Government is of opinion that any play, pantomime or other drama performed or about to be performed in a public place is— (*a*) of a scandalous or defamatory nature, or (*b*) likely to excite feelings of disaffection to the Government established by law in Pakistan, or (*c*) likely to deprave and corrupt persons present at the performance, the Provincial Government, or such Magistrate as it may empower in this behalf may by order prohibit the performance. *Explanation*—Any building or enclosure to which the public are admitted to witness a performance on payment of money shall be deemed a "public place" within the meaning of this section.	
		Section 4 .	A copy of any such order may be served on any person about to take part in the performance so prohibited, or on the owner or occupier of any house, room or place in which such performance is intended to take place; and any person on whom such copy is served, and who does, or willingly permits any act in disobedience to such order, shall be punished on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.	
		Section 6 ..	Whoever after the notification of any such order— (*a*) takes part in the performance prohibited thereby or in any performance substantially the same as the performance so prohibited, or (*b*) in any manner assists in conducting any such performance, or	

Serial No.	Act/Ordinance	Section	Nature of extent and power	REMARKS
1	2	3	4	5
14—*concld.*	Dramatic Performances Act, 1878—*concld.*	Section 6—*concld.*	(*c*) is, in wilful disobedience to such order, present as a spectator during the whole or any part of any such performance, or (*d*) being the owner or occupier, or having the use of any house, room or place, opens, keeps or uses the same for any such performance, or permits the same to be opened, kept or used for any such performance, shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.	
		Section 8 ..	If any Magistrate has reason to believe that any house, room or place is used or is about to be used, for any performance prohibited under this Act, he may, by his warrant, authorize any officer of Police to enter with such assistance as may be requisite, by night or by day, and by force, if necessary, any such house, room or place, and to take to custody all persons whom he finds therein and to seize all scenery, dresses and other articles found therein and reasonably suspected to have been used, or to be intended to be used, for the purpose of such performance.	
		Section 10 ..	A copy of any order under this section may be served on any keeper of a place of public entertainment, and if thereafter he does, or willingly permits, any act in disobedience to such order, he shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.	
15	Teasure Trove Act, 1878 ..	Section 4 ..	Whenever any treasure exceeding in amount or value ten rupees is found, the finder shall, as soon as practicable, give to the Collector notice in writing— (*a*) of the nature and amount or approximate value of such treasure; (*b*) of the place in which it was found ; (*c*) of the date of the finding ; and either deposit the treasure in the nearest Government treasury, or give the Collector such security as the Collector thinks fit, to produce the treasure at such time and place as he may from time to time require.	

		Section 5 ..	On receiving a notice under Section 4 t4e collector shall' after making such enquiry (if any) as he thinks fit, take the following steps (namely:— (a) he shall publish a notification in such manner as the Provincial Government from time to time prescribes in teis be half, to the effect that on a certain date (mentioning it(certain treasure (mentioning its nature, amount and approximate value) was found in a certain place (mentioning it); and requirina all persons claiming the treasure, or any part thereof, to appaar personally or by agent before the Collector on a day and at a place therein mentioned, such day not being earlier than foure months, or later than six months, after the date of the publication of such notification ; (b) when the place in which the treasure appears to the Collector to have been found was at the date of the finding in the possession of some person other than the finder, the Collector shall also serve on such person a special notice in writing to the same effect.	
		Section 7 ..	On the day notified under section 5, the Collector shall cause the treasure to be produced before him, and shall enquire as to and determine— (a) the person by whom, the place in which, and the circumstances under which, such treasure was found; and (b) as far as is possible, the person by whom, and the circumstances under which, such treasure was hidden.	
		Section 8 ..	If, upon an enquiry made under section 7, the Collector sees reason to believe that the treasure was hidden within one hundred years before the date of the finding, by a person appearing as required by the said notification and claiming such treasure, or by some other person under whom such person claims, the Collector shall make an order adjourning the hearing of the case for such period as he deems sufficient, to allow of a suit being instituted in the Civil Court by the claimant, to establish his right.	
		Section 9 ..	If upon such enquiry the Collector sees no reason to believe that the treasure was so hidden; or if, where a period is fixed under section 8, no suit is instituted as aforesaid within such period to the knowledge of the Collector; or if such suit is instituted within such period, and the plaintiff's claim is finally rejected ;	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
15—*concld.*	The Treasurer Trove Act, 1878—*concld.*	Section 9—*concld.*	the Collector may declare the treasure to be ownerless. Any person aggrieved by a declaration made under this section may appeal against the same within two months from the date thereof to the Chief Controlling Revenue authority. Subject to such appeal, every such declaration shall be final and conclusive.	
		Section 11 ..	When a declaration has been made in respect of any treasure as aforesaid, and no person other than the finder of such treasure has appeared as required by the notification published under section 5 and claimed a share of the treasure as owner of the place in which it has been found, the Collector shall deliver such treasure to the finder thereof.	
		Section 12 ..	When a declaration has been made as aforesaid in respect of any treasure, and only one person other than the finder of such treasure has so appeared and claimed, and the claim of such person is not disputed by the finder, the Collector shall proceed to divide the treasure between the finder and the person so claiming according to the following rule (namely): If the finder and the person so claiming have not entered into any agreement then in force as to the disposal of the treasure, three-fourths of the treasure shall be allotted to such finder and the residue to such person. If such finder and such person have entered into any such agreement, the treasure shall be disposed of in accordance therewith: Provided that the Collector may, in any case, if he thinks fit, instead of dividing any treasure as directed by this section— (a) allot to either party the whole or more than his share of such treasure, on such party paying to the Collector for the other party such sum of money as the Collector may fix as the equivalent of the share of such other party, or of the excess so allotted, as the case may be; or (b) sell such treasure or any portion thereof by public auction, and divide the sale-proceeds between the parties according to the rule hereinbefore prescribed ;	

			Provided also that, when the Collector has by his declaration under section 9 rejected any claim made under this Act by any person other than the said finder or person claiming as owner of the place in which the treasure was found, such division shall not be made until after the expiration of two months without an appeal having been presented under section 9 by the person whose claim has been so rejected, or when an appeal has been so presented, after such appeal has been dismissed.	
			When the Collector has made a division under this section, he shall deliver to the parties the portions of such treasure, or the money in lieu thereof, to which they are respectively entitled under such division.	
		Section 13 ..	When a declaration has been made as aforesaid in respect of any treasure, and two or more persons have appeared as aforesaid and each of them claimed as owner of the place where such treasure was found, or the right of any person who has so appeared and claimed is disputed by the finder of such treasure, the Collector shall retain such treasure and shall make an order staying his proceedings with a view to the matter being enquired into and determined by a Civil Court.	
		Section 14 ..	Any person who has so appeared and claimed may, within one month from the date of such order, institute a suit in the Civil Court to obtain a decree declaring his right, and in every such suit the finder of the treasure and all persons disputing such claim before the Collector shall be made defendants.	
		Section 15 ..	If any such suit is instituted and the plaintiff's claim is finally established therein, the Collector shall, subject to the provisions of section 12 divide the treasure between him and the finder.	
			If no such suit is instituted as aforesaid, or if the claims of the plaintiffs in all such suits are finally rejected, the Collector shall deliver the treasure to the finder.	
		Section 16 ..	The Collector may, at any time after making a declaration under section 9, and before delivering or dividing the treasure as hereinbefore provided, declare by writing under his hand his intention to acquire on behalf of the Government the treasure, or any specified portion thereof, by payment to the persons entitled thereto of a sum equal to the value of the materials of such treasure or portion, together with one-fifth of such value, and may place such sum in deposit in his treasury to the credit of such persons; and thereupon such treasure or portion shall be deemed to be the property of Government, and the money so deposited shall be dealt with, as far as may be, as if it were such treasure or portion.	
		Section 18 ..	A Collector making any enquiry under this Act may exercise any power conferred by the Code of Civil Procedure on a Civil Court for the trial of suits.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
16	Sea Customs Act, 1878 ..	Section 182 ..	In every case, except, the cases mentioned in section 167, Nos. 26, 72 and 74 to 76, both inclusive, in which under this Act, anything is liable to confiscation or to increased rates of duty, or any person is liable to a penalty, such confiscation, increased rate of duty or penalty may be adjudged— (a) without limit, by a Deputy Commissioner or Deputy Collector of Customs, or a Customs-collector.	
17	The Arms Act, 1878 (Conversion and Sale).	Section 5 ..	No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores, except under a licence and in the manner and to the extent permitted thereby. Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act shall, without unnecessary delay, give to the Magistrate of the district, or to the officer incharge of the nearest police station, notice of the sale and of the purchaser's name and address.	
	The Arms Act, 1878 (Licences)	Section 18 ..	Any licence may be cancelled or suspended— (a) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a district, within the local limits of whose jurisdiction the holder of such licence may be, when, for reasons to be recorded in writing, such officer, authority, Magistrate deems it necessary for the security of the public peace to cancel or suspend such license.	

	The Arms Act, 1878 (Miscellaneous)	Section 29 ..	Where an offence punishable under section 19, clause (*f*), has been committed within three months, from the date on which this Act comes into orce in any province, district or place to which section 32, clause 2 of Act XXXI of 1860 applies at such date, or where such an offence has been committed in any part of the Province and the Capital of the Federation not being such a district, province or place, no proceedings shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the district.	
18	The Ferries Act, 1878 ..	Section 5 ..	Claims for compensation for any loss sustained by any person in consequence of a private ferry being taken possession of under section 4 shall be inquired into by the Magistrate of the district in which such ferry is situate, or such officer as he appoints in this behalf, and submitted for the consideration and orders of the Provincial Government.	
		Section 6 ..	The immediate superintendence of every public ferry shall, except as provided in section 7 and section 7(*a*) be vested in the Magistrate of the district in which such ferry is situate, or in such other officer as the Provincial Government may, from time to time, appoint by name or in virtue of his office in this behalf; and such Magistrate or officer shall, except when the tolls at such ferry are leased, make all necessary arrangements for the supply of boats for such ferry and for the collection of the authorised tolls leviable thereat.	
		Section 8 ..	The tolls of any public ferry may, from time to time be let by public auction for a term not exceeding five years with the approval of the Commissioner, or by public auction, or otherwise than by public auction, for any term with the previous sanction of the Provincial Government.	
		Section 9 ..	All arrears due by the lessee of the tolls of a public ferry on account of his lease may be recovered from the lessee or his surety (if any) by the Magistrate of the district in which such ferry is situate as if they were arrears of land revenue.	
		Section 10 ..	The Provincial Government may cancel the lease of the tolls of any public ferry on the expiration of six months' notice in writing to the lessee of its intention to cancel such lease. When any lease is cancelled under this section, the Magistrate of the district in which such ferry is situate shall pay to the lessee such compensation as such Magistrate may, with the previous sanction of the Provincial Government, award.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
18—*concld.*	The Ferries Act, 1878—*concld.*	Section 11	The lessee of the tolls of a public ferry may surrender his lease on the expiration of one months' notice in writing to the Provincial Government of his intention to surrender such lease, and on payment to the Magistrate of the district in which such ferry is situate of such compensation as such Magistrate, subject to the approval of the Commissioner, may in each case direct.	
		Section 13 ..	Except with the sanction of the Magistrate of the district or of such other officer as the Provincial Government may, from time to time appoint in this behalf, by name or in virtue of his office, no person shall establish, maintain or work a ferry to or from any point within a distance of two miles from the limits of a public ferry.	
		Section 16 ..	The lessee or other person authorised to collect the tolls of any public ferry shall affix a table of such tolls, legibly written or printed in the vernacular language and, also if the Commissioner of the division so directs, in English in some conspicuous place near the ferry, and shall be bound to produce, on demand, a list of the tolls, signed by the Magistrate of the district or such other officer as he appoints in this behalf.	
		Section 32 ..	When the lease of the tolls of any ferry is surrendered under section 11 or cancelled under section 24, the Magistrate of the district may take possession of all boats and their equipment and all other material and appliances used by the lessee for the purposes of such ferry, and use the same (paying such compensation for the use thereof as the Provincial Government may in each case direct) until such Magistrate can conveniently procure proper substitutes therefor.	

		Section 33 ..	When any boats or their equipment or any materials or appliances suitable for setting up a ferry, are emergently required for facilitating the transport or officers, or troops on duty, or of any other persons on the business of the State or of any animals, vehicles or baggage belonging to such officers, troops or persons or of any property of the state the Magistrate of the district may take possession of and use the same (paying such compensation for the use thereof as the Central Government, where the transport is in connection with the affairs of the Central Government, and the Provincial Government in other cases, may in each case direct) until such transport is completed.	
19	Elephants' Preservation Act 1879.	Section 5 ..	The Collector or Deputy Commissioner of any district may, subject to such rules as may for the time being be in force under this Act, grant licenses to kill, or to capture, or to kill and capture wild elephants in such district: Provided that no such license shall authorize any person to enter upon any land without the consent of the owner or occupier thereof.	
20	Legal Practitioners Act, 1879..	Section 14 ..	Any District Judge, or with his sanction any Judge subordinate to him, any District Magistrate, or with his sanction any Magistrate subordinate to him, and any Revenue authority not inferior to a Collector, or with the Collector's sanction any revenue officer subordinate to him, may pending the investigation and the order of the High Court, suspend from practice any pleader or mukhtar charged before him or it under this section. Every report made to the High Court under this section shall— (*a*) when made by any Civil Judge subordinate to the District Judge, be made through such Judge; (*b*) when made by a Magistrate subordinate to the Magistrate of the district be made through the Magistrate of the District and the Sessions Judge; (*c*) when made by the Magistrate of the District, be made through the Sessions Judge; (*d*) when made by any Revenue Officer subordinate to the Chief Controlling Revenue authority, be made through such Revenue authorities as the Chief Controlling Revenue Authority may, from time to time, direct. Every such report shall be accompanied by the opinion of each judge, Magistrate or Revenue Authority through whom or which it is made.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
20—*concld.*	Legal Practitioner Act, 1879—*concld.*	Section 23 ..	Any Revenue Officer not inferior to a Collector, and, with the Collectors sanction, any Revenue Officer a subordinate to *him*, or any Munisif in his district, may, pending the investigation and *the* orders of the Chief Controlling Revenue Authority, suspend from practice any revenue agent charged before him under this section. Where any officer acting under this section is subordiante to the Commissioner of a Division, he shall transmit the report through such Commissioner, who shall forward with the same an expression of his own opinion on the case.	
		Section 36(1) ..	Every High Court, District Judge, Sessions Judge, District Magistrate and every Revenue Officer, not being below the rank of a Collector of a district (each as regards their or his own Court and the Courts, if any, subordinate thereto), may frame and publish lists of persons proved to their or his satisfaction, or to the satisfaction of any subordinate Court as provided in sub-section (2A) by evidence or general repute or otherwise, habitually to act as touts, and may, from time to time, alter and amend such lists. (*Explanation*—The passing of a resolution, declaring any person to be or not to be a tout, by a majority of the members present at a meeting, specially convened for the purpose, of an association of persons entitled to practise as legal practitioners in any Court or revenue office, shall be evidence of the general repute of such person for the purposes of this sub-section.	
21	Obstructions in Fairways Act, 1881.	Section 3 ..	Whenever anything is removed under section 2, the Central Government shall be entitled to receive a reasonable sum, having regard to all the circumstances of the case, for the expenses incurred in respect of such removal. Any dispute arising concerning the amount due under section, in respect of anything so removed, shall be decided by the District Magistrate or Presidency Magistrate having jurisdiction at the place where such thing is, upon application to him for that purpose by either of the disputing parties; and such decision shall be final.	

22	The Opium Act, 1878 ..	Section 12 ..	When the offender is convicted, or when the person charged with an offence in respect of any opium is acquitted, but the Magistrate decides that the opium is liable to confiscation, such confiscation may be ordered by the Magistrate. Whenever confiscation is authorised by this Act, the officer ordering it may give the owner of the thing liable to be confiscated an option to pay, in lieu of confiscation, such fine as the officer thinks fit. When an offence against this Act has been committed, but the offender is not known or cannot be found, or when opium not in the possession of any person cannot be satisfactorily accounted for, the case shall be inquired into and determined by the Collector of the district or Deputy Commissioner, or by any other officer authorised by the Provincial Government in this behalf, either personally or in right of his office, who may order such confiscation : Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto, and the evidence (if any) which they produce in support of their claims.	
		Section 19 ..	The Collector of the district, Deputy Commissioner or other officer authorized by the Provincial Government in this behalf, either personally or in right of his office, or a Magistrate, may issue his warrant for the arrest of any person whom he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any building or vessel or place in which he has reason to believe opium liable to confiscation to be kept or concealed. All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.	
		Section 20-C ..	When anything has been seized by an officer authorized under section 20, or has been sent to him under section 20-A, such officer, after such inquiry as may be necessary, shall— (*a*) if it appears that such thing is required as evidence in the case of any person arrested, forward it to the Magistrate to whom such person is forwarded or for his appearance before whom bail has been taken ; (*b*) if it appears that it is liable to confiscation but is not required as evidence as aforesaid, send it with a full report of the particulars of the seizure to the Collector or the Deputy Commissioner of the District or any other officer appointed by the Provincial Government in this behalf.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
22—*concld.*	The Opium Act, 1878—*concld.*	Section 24 ..	When any amount is due to a farmer of opium revenue from his licensee, in respect of a license, such farmer may make an application to the Collector of the district, Deputy Commissioner or other officer authorized by the Provincial Government in this behalf, praying such officer to recover such amount on behalf of the applicant and, on receiving such application, such Collector, Deputy Commissioner or other officer may in his discretion recover such amount as if it were an arrear of land revenue, and shall pay any amount so recovered to the applicant : Provided that the execution of any process issued by such Collector, Deputy Commissioner or other officer for the recovery of such amount shall be stayed if the licensee institutes a suit in the Civil Court to try the demand of the farmer, and furnishes security to the satisfaction of such officer for the payment of the amount which such Court may adjudge to be due from him to such farmer : Provided also that nothing contained in this section or done thereunder shall affect the right of any farmer of opium revenue to recover by suit in the Civil Court or otherwise any amount due to him from such licensee.	
23	Land Improvement Loans, Act 1883.	Section 7(1) ..	Subject to such rules as may be made under section 10, all loans granted under this Act, all interest (if any) chargeable thereon, and costs (if any) incurred in making the same, shall, when they become due, be recoverable by the Collector in all or any of the following modes, namely :— (*a*) from the borrower as if they were arrears of landrevenue due by him ; (*b*) from his surety (if any) as if they were arrears of land revenue due by him ; (*c*) out of the land for the benefit of which the loan has been granted as if they were arrears of land revenue due in respect of that land ;	

			(d) out of the property comprised in the collateral security (if any) according to the procedure for the realization of land revenue by the sale of immovable property other than the land on which that revenue is due : Provided that no proceeding in respect of any land under clause (c) shall affect any interest in that land which existed before the date of the order granting the loan, other than the interest of the borrower, and of mortgages of, or persons having charges on, that interest, and, where the loan is granted under section 4 with the consent of another person, the interest of that person, and of mortgagees of, or persons having charges on that interest.
		Section 7(2) ..	When any sum due on account of any such loan, interest or costs is paid to the Collector by a surety or an owner of property comprised in any collateral security, or is recovered under sub-section (1) by the Collector from a surety or out of any such property, the Collector shall, on the application of the surety or the owner of that property (as the case may be), recover that sum on his behalf from the borrower, or out of the land for the benefit of which the loan has been granted, in manner provided in sub-section (1).
		Section 7(3) ..	It shall be in the discretion of a Collector acting under this section to determine the order in which he will resort to the various modes of recovery permitted by it.
24	The Explosives Act, 1884 ..	Section 9(1) ..	Where any accident such as is referred to in section 8 occurs in or about or in connection with any place, carriage or vessel under the control of any of the state forces, an inquiry into the causes of the accident shall be held by the naval, military, or air force authority concerned, and where any such accident occurs in any other circumstances, the District Magistrate shall, in cases attended by loss of human life, or may, in any other case, hold or direct a Magistrate subordinate to him to hold, such an inquiry.
25	The Telegraphs Act, 1885 ..	Section 16(1) ..	If the exercise of the powers mentioned in section 10 in respect of property referred to in clause (d) of that section is resisted or obstructed, the District Magistrate may, in his discretion, order that the telegraph authority shall be permitted to exercise them.
		Section 17(2) ..	If the telegraph authority omits to comply with the requisition, the person making it may apply to the District Magistrate within whose jurisdiction the property is situate to order the removal or alteration.
		Section 17 (3) ..	A District Magistrate receiving an application under sub-section (2) may, in his discretion, reject the same or make an order absolutely or subject to conditions, for the removal of the telegraph line or post to any other part of the property or to a higher or lower level, or for the alteration of its form ; and the order so made shall be final.

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
25—*concld.*	The Telegraph Act, 1885—*concld.*	Section 33 (2) ..	The inhabitants of the place shall be charged with the cost of the additional police force, and the District Magistrate shall, subject to the orders of the Provincial Government, assess the proportion in which the cost shall be paid by the inhabitants according to his judgment of their respective means.	
		Section 33(3) ..	All moneys payable under sub-section (2) shall be recoverable either under the warrant of a Magistrate by distress and sale of the movable property of the defaulter within the local limits of his jurisdiction, or by suit in any competent Court.	
26	The Land Acquisition (Mines) Act, 1885.	Section 3(2) ..	When a statement as aforesaid has not been inserted in the declaration made in respect of any land under section 6 of the Land Acquisition Act, 1870, and the Collector is of opinion that the provisions of this Act ought to be applied to the land, he may abstain from tendering compensation under section 11 of the said Land Acquisition Act in respect of the mines, and may— (a) when he makes an award under section 14 of that Act, insert such a statement in his award ; (b) When he makes a reference to the Court under section 15 of that Act, insert such a statement in his reference; or (c) when he takes possession of the land under section 17 of that Act, publish such a statement in such manner as the Provincial Government may, from time to time, prescribe.	
27	The Tramways Act, 1886 ..	Section 15(2) ..	A list of all the tolls authorized to be levied shall be exhibited in such languages as the District Magistrate may direct, in a conspicuous place inside and outside each of the carriages used upon the tramway.	

		Section 20(3) ..	The cost shall be certified by an officer of the road authority, and his certificate, countersigned by the District Magistrate, shall be conclusive proof as to the cost incurred.	
		Section 27 ..	If a promoter— (a) constructs or maintains a tramway otherwise than in accordance with the order, or (b) opens the tramway for traffic, or permits it to be so opened, before it has been inspected and certified in manner required by section 12, or (c) fails to observe any requirement or condition of the order for neglect or breach whereof no penalty has been expressly provided in the order, or if a promoter, lessee or licensee runs a carriage on a tramway otherwise than in accordance with the order, he shall (without prejudice to the enforcement or specified performance of the requirements of this Act or of the order, or to any other remedy which may be obtained against him in a Code of Civil Judicature), on complaint made by the Government or by the local authority or road authority or by the District Magistrate or, with the previous sanction of the District Magistrate, by any person injuriously affected by the act or omission, be punished with fine which may extend to two hundred rupees, and in the case of a continuing offence to a further fine which may extend to fifty rupees for every day after the first during which the offence continues to be committed.	
		Section 36 ..	Any of the following moneys, namely, any rent due to a local authority from a lessee, any penalty recoverable from a promoter or lessee under an order, any sum payable by a promoter or lessee under an award of a referee, the cost of the performance under this Act by the Government or by a local authority or road authority of any work required by this Act or by an order to be done by a promoter, and the cost incurred by a road authority in removing a tramway and reinstating a road under this Act, may without prejudice to any other remedy that the authority to which the money is due may have by suit or otherwise, be recovered by that authority, on application made in this behalf to the Collector, as if the sum due were an arrear of land revenue due by the promoter or lessee or his surety (if any) : Provided that nothing in this section shall authorize the arrest of the promoter or lessee or his surety in execution of any process issuedby the Collector.	

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Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
28	Metal Tokens Act, 1889 ..	Section 5 (2) ..	Notwithstanding anything in the Code of Criminal Procedure, 1882, no other offence punishable under section 4 shall be a cognizable offence, or be taken cognizance of by any Magistrate, except a District Magistrate or Sub-Divisional Magistrate without the previous sanction of the District Magistrate or Sub-Divisional Magistrate.	
29	The Measures of Length Act, 1889.	Section 7 ..	There shall be kept by the District Magistrate under section 20 of Regulation XII of 1827 of the Bombay Code, such certified measures of the standard yard, standard foot and standard inch as are mentioned in section 5.	
30	The Revenue Recovery Act, 1890.	Section 3 (1) ..	Where an arrear of land revenue, or a sum recoverable as an arrear of land revenue, is payable to a Collector by defaulter being or having property in a district other than that in which the arrear accrued or the sum is payable, the Collector may send to the Collector of that other district a certificate in the form as nearly as may be of the scheduled, stating— (a) the name of the defaulter and such other particulars as may be necessary for his identification, and (b) the amount payable by him and the account on which it is due.	
		Section 3 (2) ..	The certificate shall be signed by the Collector making it or by any officer to whom such Collector may, by order in writing, delegate this duty, and, save as otherwise provided by this Act, shall be conclusive proof of the matters therein stated.	
		Section 3 (3) ..	The Collector of the other district shall, on receiving the certificate, proceed to recover the amount stated therein as if it were an arrear of land revenue which had accrued in his own district.	

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		Section 5 ..	Where any sum is recoverable as an arrear of land revenue by any Public Officer other than a Collector or by any Local Authority, the Collector of the district in whichthe office of that officer or authority is situate shall, on the request of the officer or authority, proceed to recover the sum as if it were an arrear of land-revenue which has accrued in his own district, and may send a certificate of the amount to be recovered to the Collector of another district under the foregoing provisions of this Act, as if the sum were payable to himself.	
		Section 6(1) ..	When the Collector of a district receives a certificate under this Act, he may issue a proclamation pgrohibiting the transfer or charging of any immovable property belongin to the defaulter in the district.	
		Section 6 (2) ..	The Collector may at any time, by order in writing, withdraw the proclamation, and it shall be deemed to be withdrawn when either the amount stated in the certificate has been recovered or the property has been sold for the recovery of that amount.	
		Section 11 (1) ..	The Central Government may in respect of any Acceding State direct that this Act shall apply to the recovery of an arrear of landrevenue accruing in that State or a sum recoverable in that State as an arrear of land revenue and payable to a Collector or other public officer or to a local authority in that State, and upon the making of the direction such arlrear of sum shall be recoverable by a Collector as if it were an arrear of and revenue which has accrued in his own district.	
		Section 11 (3) ..	The Collector shall remit any sum recovered by him under the provisions of this section to the authority which issued the certificate after deducting his expenses in the matter.	
31	The Guardians and Wards Act, 1890.	Section 8 ..	An order shall not be made under the last foregoing section except on the application of— (c) the Collector of the district or other local area within which the minor ordinarily resides or in which he has property, or (d) the Collector having authority with respect to the class to which the minor belongs.	
		Section 10 (2) ..	If the application is made by the Collector, it shall be by letter addressed to the Court and forwarded by post or in such other manner as may be found convenient, and shall state as far as possible the particulars mentioned in sub-section (1).	

Serial No.	Act Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
31—*concld.*	The Guardians and Wards Act, 1890—*concld.*	Section 11 (2) ..	The Provincial Government may, by general or special order, require that, when any part of the property described in a petition under section 17, 10, sub-section (1), is land of which a Court of Wards could assume the superintendence, the Court shall also cause a notice as aforesaid to be served on the Collector in whose district any portion of the land is situate, and the Collector may cause the notice to be published in any manner he deem fit.	
		Section 18 ..	Where a Collector is appointed or declared by the Court in virtue of his to be guardian of the person or property, or both, of a minor, the order appointing or declaring him shall be deemed to authorise and require the person for the time being holding the office to act as guardian of the minor with respect to his person or property, or both, as the case may be.	
		Section 23 ..	A Collector appointed or declared by the Court to be guardian of the person or property, or both of a minor shall, in all matters connected with the guardianship of his ward, be subject to the control of the Provincial Government or of such authority as that Government, by notification in the official Gazette, appoints in this behalf.	
		Section 46 (1) ..	The Court may call upon the Collector, or upon any Court subordinate the Court, for a report on any matter arising in any proceeding under this Act and treat the report as evidence.	
		Section 46 (2) ..	For the purpose of preparing the report the Collector or the Judge of the Subordinate Court, as the case may be, shall make such inqu iry as he deem necessary, and may for the purposes of the inquiry exercise any power of compelling the attendance of a witness to give evidence or produce a document which is conferred on a Court by the Code of Civil Procedure.	
32	Railways Act, 1890 ..	Section 15 (4) ..	Such an award, subject, where made by any Magistrate other than the District Magistrate, to revision by the District Magistrate, shall be final.	

33	Prevention of Cruelty to Animals Act, 1890.	Section6 B (4) ..	The cost of transporting an animal to an infirmary or pinjrapole, and of its maintenance and treatment in an infirmary, shall be payable by the owner of the animal in accordance with a scale of rates to be prescribed by the District Magistrate. Provided that when the Magistrate so orders, on account of the poverty of the owner of the animal no charge shall be payable for the treatment of the animal.	
34	Government Tenants (N.-W.F. P.) Partition Act, 1893.	Section 5 (1) ..	When any such statement has been issued for any tract, the Deputy Commissioner shall, in manner hereinafter provided, open and maintain for such tract a register or registers of tenancies granted on the condition prescribed in such statement.	
		Section 6 ..	Before a tenancy is granted to any person in any such tract, the prescribed particulars regarding the proposed grant shall be duly entered in the appropriate register, and the entry shall be signed by the proposed tenant and by the Deputy Commissioner.	
35	Land Acquisition Act, 1894 ..	Section 4 (1) ..	Whenever it appears to the Provincial Government that land in any locality is needed or is likely to be needed for any public purpose, a notification to that effect shall be published in the official Gazette, and the Collector shall cause public notice of the substance of such notification to be given at convenient places in the said locality.	
		Section 5 ..	When the Provincial Government is satisfied, after considering the result of the survey if any, made under section 4, sub-section (2), or if no survey is necessary at any time, that any particular land included in a locality notified under section 4, subsection (1) , is needed for a public purpose or for a company a notification to that effect shall be published in the official Gazette, stating the district or other territorial division in which the land is situate, the purpose for which it is needed, its approximate area and situation, and here a plan has been made of the land, the place where such plan may be inspected and the Collector shall cause public notice to be given of the substance of the notification at convenient places on or near the land to be acquired".	
		Section 5A (1) ..	Any prerson interested in any land which has been notified under section 4 sub-section (1), as being needed or likely to be needed for a public purpose or for a Company may, within thirty days after the issue of the notification, object to the acquisition of the land or of any land in the locality, as the case may be,.	

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Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
35—*contd.*	Land Acquisition Act, 1894—*contd.*	Section 5A (2) ..	Every objection under sub-section (1) shall be made to the Collector in writing, and the Collector shall give the objector an opportunity of being heard either in person or by pleader and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, submit the case for the decision of the Provincial Government, together with the record of the proceeding held by him and a report containing his recommendations on the objections. The decision of the Provincial Government on the objections shall be final.	
		Section 8 ..	The Collector shall thereupon cause the land (unless it has been already marked out under section (4) to be marked out. He shall also cause it to be measured, and if no plan has been made thereof, a plan to be made of the same.	
		Section 9(1)	The Collector shall then cause public notice to be given at convenient places on or near the land to be taken, stating that the Government intends to take possession of the land, and that claims to compensation for all interest in such land may be made to him.	
		Section 9 (2) ..	Such notice shall state the particulars of the land so needed, and shall require all persons interested in the land to appear personally or by agent before the Collector at a time and place therein mentioned (such time not being earlier than fifteen days after the date of publication of the notice), and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensations for such interests, and their objections (if any) to the measurements made under section 8. The Collector may in any case require such statement to be made in writing and signed by the party or his agent. *applicable to Punjab area only and inserted—*vide*" the Land Acquisition (Punjab Amendment Act), 1954.	
		Section 9 (3) ..	The Collector shall also serve notice to the same effect on the occupier (if any) of such land and on all such persons known or believed to be interested therein, or to be entitled to act for persons so interested, as reside or have agents authorised to receive service on their behalf, within the revenue-district in which the land is situate.	

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		Section 10 (1) ..	The Collector may also require any such person to make or deliver to him, at a time and place mentioned (such time not being earlier than fifteen days after the date of the requisition), a statement containing, so far as may be practicable , the name of every other person possessing any interest in the land or any part thereof as co-proprietor, sub-proprietor, mortgage, tenant or otherwise, and of the nature of such interest, and of the rents and profits (if any) received or receivable on account thereof for three years next preceding the date of the statement.	
		Section 11 ..	On the day so fixed, or on any other day to which the enquiry has been adjourned, the Collector shall proceed to enquire into the objections (if any) which any person interested has stated pursuant to a notice given under section 9 to the measurements made under section 8, and into the value of the land and at the date of the publication of the notification under section 4, sub-section (1), and into the respective interests of the persons claiming the compensation and shall make an award under his hand of— (*i*) the true area of the land; (*ii*) the compensation which in his opinion should be allowed for the land; and (*iii*) the apportionment of the said compensation among all the persons known or believing to be interested in the land, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him.	
		Section 12 (1) ..	Such award shall be filed in the Collector's office and shall, except as hereinafter provided, be final and conclusive evidence, as between the Collector and the persons interested, whether they have respectively appeared before the Collector or not of the true area and value of the land, and the apportionment of the compensation among the persons interested.	
		Section 12 (2) ..	The Collector shall give immediate notice of his award to such of the persons interested as are not present personally or by their representatives when the award is made *Applicable to the Punjab area only and inserted ,—*vide* "The Land Acquisition (Punjab Amendment Act), 1954.	
		"12-A.	Any clerical or arithmetical mistake in the award arising therein from any accident a slip or omission may at any time be corrected by the Collector either of his own motion or on the application of any of the parties".	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
53—*contd.*	Land Acquisition Act 1894—*contd.*	Section 13 ..	The Collector may, for any cause he thinks fit, from time to time adjourn the enquiry to a day to be fixed by him.	
		Section 14 ..	For the purpose of enquiries under this Act the Collector shall have power to summon and enforce the attendance of witnesses, including the parties interested or any of them, and to compel the production of documents by the same means, and (so far as may be) in the same manner, as is provided in the case of a Civil Court under the Code of Civil Procedure.	
		Section 15 ..	In determining the amount of compensation, the Collector shall be guided by the provisions contained in sections 23 and 24.	
		Section 16 ..	When the Collector has made an award under section 11, he may take possession of the land, which shall thereupon vest absolutely in the Government free from all encumbrances.	
		Section 17 (1) ..	In cases of urgency whenever the Provincial Government so directs, the Collector, though no such award has been made may, on the expiration of fifteen days from the publication of the notice mentioned in section 9, sub-section (1) take possession of any waste or arable land needed for public or for a Company. Such land shall thereupon vest absolutely in the Government, free fro all encumbrances.	
		Section 17 (2) ..	Whenever, owing to any sudden change in the channel of any navigable river or other unforeseen emergecy, it becomes necessary for any Railway Administration to acquire the immediate possession of any land for the maintenance of their traffic or for the purpose of making thereon a river-side or that station, or of providing convenient connection with or access to any such station, the Collector may, immediately after the publication of the notice mentioned in sub-section (1) and with the previous sanction of the Provincial Government, enter upon and take possession of such land, which shall thereupon vest absolutely in the Crown free from all encumbrances.	

			Provided that the Collector shall not take possession of any building or part of a building under this sub-section without giving to the occupier thereof at least forty-eight hours' notice of his intention so to do, or such longer notice as may be reasonably sufficient to enable such occupier to remove his moveable property from such building without unnecessary inconvenience.	
		Section 17(3) ..	In every case under either of the preceding sub-sections the Collector shall at the time of taking possession offer to the persons interested compensation for the standing crops and trees (if any) on such land and for any other damage sustained by them caused by such sudden dispossession and not excepted in section 24; and, in case such offer is not accepted, the value of such crops and trees and the amount of suh other damage shall be allowed for in awarding compensation for the land under the provisions herein contained.	
		Section 18(1) ..	Any person interested who has not accepted the award may, by written application to the Collector, require that the matter be referred by the Collector for the determination of the Court, whether his objection be to the measurement of the land, the amount of the compensation, the persons to whom it is payable, or the apportionment of the compensation among the persons interested.	
		Section 18 (2) ..	The application shall state the grounds on which objection to the award is taken: Provided that every such application shall be made:— (*a*) if the person making it was present or represented before the Collector at the time when he made his award, within six weeks from the date of the Collector's award; (*b*) in other cases, within six weeks of the receipt of the notice from the Collector under section 12, sub-section (2) or within six month from the date of the Collector's award, whichever period shall first expire.	
		Section 19 (1) ..	In makingthe reference, the Collector shall state for the information of the Court, in writing under his hand— (*a*) the situation and extent of the land, with particulars of any trees, buildings or standing crops thereon; (*b*) the names of the persons whom he has reason to think interested in such land; (*c*) the amount awarded for damages and paid or tendered under section 5 and 17, or either of them and the amount of compensation awarded under section 11; and	

Serial No.	Act/Ordinance	Section	Nature in and extent of power	Remarks
1	2	3	4	5
35—*contd.*	Land Acquisition Act, 1894—*contd.*		(*d*) if the objection be to the amount of the compensation, the grounds on which the amount of compensation was determined.	
		Section 20 ..	The Court shall thereupon cause a notice specifying the day on which the court will proceed to determine the objection, and directing their appearance before the Court on that day, to be served on the following persons, namely— (*a*) the applicant: (*b*) all persons interested in the objection, except such (if any) of them as have consented without protest to receive payment of the compensation awarded; and (*c*) if the objection is in regard to the area of the land or to the amount of the compensation, the Collector.	
		Section 27(2) ..	When the award of the Collector is not upheld, the costs shall ordinarily be paid by the Collector, unless the Court shall be of opinion that the claim of the applicant was so extravagant or that he was so negligent in putting his case before the Collector that some deduction from his costs should be made or that he should pay a part of the Collector's costs.	
		Section 28 ..	If the sum which, in the opinion of the Court, the Collector ought to have awarded as compensation is in excess of the sum which the Collector did award as compensation, the award of the Court may direct that the Collector shall pay interest on such excess at the rate of six per centum per annum from the date on which he took possession of the land to the date of payment of such excess into Court.	
		Section 30 ..	When the amount of compensation has been settled under section 11, if any dispute arises as to the apportionment of the same or any part thereof, or as to the persons to whom the same or any part thereof is payable, the Collector may refer such dispute to the decision of the Court.	
		Section 31 (1) ..	On making an award under section 11, the Collector shall tender payment of the compensation awarded by him to the persons interested entitled thereto according to the award, and shall pay it to them unless prevented by some one or more of the contingencies mentioned in the next sub-section.	

		Section 31 (2) ..	If they shall not consent to receive it or if there be no person competent to alienate the land, or if there be any dispute as to the title to receive the compensation or as to the apportionment of it, the Collector shall deposit the amount of the compensation in the Court to which a reference under section 18 would be submitted.	
		Section 31 (3) ..	Notwithstanding anything in this section the Collector may, with the sanction of the Provincial Government, instead of awarding a money compensation in respect of any land, make any arrangement with a person having a limited interest in such land, either by the grant of other lands in exchange, the remission of land-revenue on other lands held under the same title, or in such other way as may be equitable having regard to the interests of the parties concerned.	
		Section 32 (2) ..	In all cases of moneys deposited to which this section applies the Court shall order the costs of the following matters, including therein all reasonable charges and expenses incident thereto, to be paid by the Collector, namely:— (a) the costs of such investments as aforesaid; (b) the costs of the orders for the payment of the interest or other proceeds, of the securities upon which such moneys are for the time being invested and for the payment out of Court of the principal of such moneys, and of all proceedings relating thereto, except such as may be occasioned by litigation between adverse claimants.	
		Section 34 ..	When the amount of such compensation is not paid or deposited on or before taking possession of the land, the Collector shall pay the amount awarded with interest thereon at the rate of six percentum per annum from the time of so taking possession until it shall have been so paid or deposited.	
		Section 35 (1) ..	Subject to the provisions of Part VII of this Act, whenever it appears to the Provincial Government that the temporary occupation and use of any waste or arable land are needed for any public purpose, or for a Company, the Provincial Government may direct the Collector to procure the occupation and use of the same for such term as it shall think fit, not exceeding three years from the commencement of such occupation.	
		Section 35 (2) ..	The Collector shall thereupon give notice in writing to the persons interested in such land of the purpose for which the same is needed, and shall, for the occupation and use thereof for such term as aforesaid and for the materials (if any) to be taken therefrom, pay to them such compensation, either in a gross sum of money, or by monthly or other periodical payments as shall be agreed upon in writing between him and such persons respectively. (2) The Collector shall thereupon cause public notice of the substance of the direction to be given at convenient places in the locality in which the land is situated. Thereupon it shall be lawful for any officer either generally or specially authorised by the Collector in this behalf and for the servants and workmen of such officer to enter upon and survey and take levels of any land in such locality."	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
35—*concld.*	Land Acquisition Act, 1894—*concld.*	Section 35 (3) ..	On receipt of plans detailing the land acquired, the Collector shall give notice in writing to the persons interested in such land of the purpose for wh ch the same is needed and shall for the occupation and use thereof for such term as aforesaid and for the materials, if any, to be taken therefrom, pay to them such compensation, either in a gross sum of money or by monthly or other periodical payments as shall be agreed upon in writing between him and such persons respectively. *Applicable to Punjab Area only and inserted,—*vide* Land Acquisition (Punjab Amendment) Act 1954.	
		Section 35 (4) ..	In case the Collector and the persons interested differ as to the sufficiency of the compensation or apportionment thereof, the Collector shall refer such difference to the decision of the Court.	
		Section 36 (1) ..	On payment of such compensation, or on executing such agreement or on making a reference under section 35, the Collector may enter upon and take possession of the land, and use or permit the use thereof in accordance with the terms of the said notice.	
		Section 36 (2) ..	On the expiration of the term, the Collector shall make or tender to time persons interested compensation for the damage (if any) done to the land and not provided for by the agreement and shall restore the land to the persons interested therein: Provided that, if the land has become permanetly unfit to be used for the purpose for which it was used immediately before the commencement of such term and if the persons interested shall so require, the Provincial Government shall proceed under this Act to acquire the land as if it was needed permanently for a public purpose or for a Company.	
		Section 37 ..	In case the Collector and persons interested differ as to the condition of the land at the expiration of the term, or as to any matter connected with the said agreement, the Collector shall refer such difference to the decision of the Court.	
		Section 45 (1) ..	Service of any notice under the Act shall be made by delivering or tendering a copy thereof signed, in the case of a notice under section 4, by the officer therein mentioned, and in the case of any other notice, by or by order of the Collector or the Judge.	
		Section 45 (3) ..	When such person cannot be found, the service may be made on any adult male member of his family residing with him; and, if no such adult male member can be found, the notice may be served by fixing the copy on the outer door of the house in which the person therein named ordinarily dwells	

			or carries on business, or by fixing a copy thereof in some conspicuous place in the office of the Officer aforesaid or of the Collector or in the court-house, and also in some conspicuous part of the land to be acquired: Provided that, if the Collector or Judge shall so direct, a notice may be sent by post, in a letter addressed to the person named therein at his last known residence, address or place of business and registered under Part III of the Indian Post Office Act, 1866 and service of it may be proved by the production of the addressee's receipt.	
		Section 47 ..	If the Collector is opposed or impeded in taking possession under this Act of any land, he shall, if a Magistrate, enforce the surrender of the land to himself and if not a Magistrate, he shall apply to a Magistrate and such Magistrate shall enforce the surrender of the land to the Collector.	
		Section 48 (2) ..	Whenever the Government withdraws from any such acquisition, the Collector shall determine the amount of compensation due for the damage suffered by the owner in consequence of the notice or of any proceedings thereunder, and shall pay such amount to the person interested, together with all costs reasonably incurred by him in the prosecution of the proceedings under this Act relating to the said land.	
		Section 49 (1) ..	The provisions of this Act shall not be put in force for the purpose of acquiring a part only of any house, manufactory or other building, if the owner desire that the whole of such house, manufactory or building shall be so acquired: Provided that the owner may, at any time before the Collector has made his award under section 11, by notice in writing, withdraw or modify his expressed desire that the whole of such house, manufactory or building shall be so acquired: Provided also that, if any question shall arise as to whether any land proposed to be taken under this Act does or does not form part of a house, manufactory or building within the meaning of this section, the Collector shall refer the determination of such question to the Court and shall not take possession of such land until after the question has been determined. In deciding on such a reference the Court shall have regard to the question whether the land proposed to be taken is reasonably required for the full and unimpaired use of the house, manufactory or building.	
		Section 49 (3) ..	In the case last hereinbefore provided for, no fresh declaration or other proceedings under sections 6 to 10, both inclusive, shall be necessary; but the Collector shall without delay furnish a copy of the order of the Provincial Government to the person interested and shall thereafter proceed to make his award under section 11.	
36	The Prisons Act 1894 ..	Section 11 (2) ..	Subject to such general or special directions as may be given by the Provincial Government, the Superintendent of Prison other than a central prison or a prison situated in a presidency-town shall obey all orders not inconsistent with this Act or any rule thereunder which may be given respecting the prison by the District Magistrate, and shall report to the Inspector-General all such orders and the action taken thereon.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
36—*concld.*	The Prisons Act 1894—*concld.*	Section 52 ..	If any prisoner is guilty of any offence against prison-discipline which, by reason of his having frequently committed such offences or otherwise, in the opinion of the Superintendent, is not adequately punishable by the infliction of any punishment which he has power under this Act to award, the Superintendent may forward such prisoner to the Court of the District Magistrate or of any Magistrate of the first class having jurisdiction, together with a statement of the circumstances and such Magistrate shall thereupon inquire into and try the charge so brought against the prisoner and upon conviction, may sentence him to imprisonment which may extend to one year, such term to be in addition to any term for which such prisoner was undergoing imprisonment when he committed such offence, or may sentence him to any of the punishments enumerated in section 46: Provided that any such case may be transferred for inquiry and trial by the District Magistrate to any Magistrate of the first class.	
37	The Reformatory Schools Act 1897.	Section 8 (2) ..	The powers so conferred on the court by this section shall be exercised only by (*a*) the High Court (*b*) a Court of Session, (*c*) a District Magistrate and (*d*) any Magistrate specially empowered by the Provincial Government in this behalf and may be exercised by such Courts whether the case comes before them originally or on appeal.	
		Section 9 (1) ..	When any Magistrate not empowered to pass an order under the last foregoing section is of opinion that a youthful offender convicted by him is a proper person to be an inmate of a Reformatory School, he may, without passing sentence, record such opinion and submit his proceedings and forward the youthful offender to the District Magistrate to whom he is subordinate.	
		Section 10 ..	The officer in charge of a prison in which a youthful offender is confined, in execution of a sentence of imprisonment, may bring him, if he has not then attained the age of fifteen years, before the District Magistrate within whose jurisdiction such prison is situate; and such Magistrate may, if such youthful offender appears to be a proper person to be an inmate of a Reformatory School, direct that, instead of undergoing the residue of his	

			sentence, he shall be sent to a Reformatory School and there detained for a period which shall be subject to the same limitations as are prescribed by or under section 8, with reference to the period of detention thereby authorised.
		Section 11 (2) ..	A similar inquiry shall be made and finding recorded by every Magistrate not empowered to pass an order undr section 8 before submitting his proceedings and forwarding the youthful offender to the District Magistrate as required by section 9, sub-section (1).
		Section 31 (4) ..	When any youthful offender is convicted by a Court not empowered to act under this section and the Court is of opinion that the powers conferred by this section should be exercised in respect of such youthful offender it may record such opinion and submit the proceedings and forward the youthful offender to the District Magistrate to whom such Court is subordinate.
		Section 31 (5) ..	The District Magistrate to whom the proceedings are so submitted may thereupon make such order or pass such sentence as he might have made or passed if the case had originally been tried by him.
38	The Lepers Act, 1898 ..	Section 8 (1) ..	If it appears to any Magistrate of the first class or to any other Magistrate authorised in this behalf by the Provincial Government, upon the certificate in Form B setforth in the schedule, that any person is a leper and if it further appears to the Magistrate that the person is a pauper leper, he may, after recording the evidence on the above-mentioned points, and his order thereon, send the pauper leper in charge of a police-officer, together with an order in Form C setforth in the schedule, to a leper asylum, where such leper shall be detained until discharged by order of the Board or the District Magistrate.
		Section 10 (2) ..	If any such leper fails to furnish any security required under sub-section (1), the Magistrate may send him in charge of a police-officer, with an order in Form D setforth in the schedule to a leper asylum where such leper shall be detained until discharged by order of the Board or the District Magistrate.
	THE CRIMINAL PROCEDURE CODE, 1898 (PART II)		
39	Constitution and powers of Criminal Courts and Offices	Section 12 (1) ..	The Provincial Government may appoint as many persons as it thinks fit, besides the District Magistrate, to be Magistrate of the first, second or third class in any district and the Provincial Government or the District Magistrate, subject to the control of the Provincial Government may, from time to time, define local areas within which such persons may exercise all or any of the powers with which they may respectively be invested under this Code.

Serial No.	Act/Ordinance	Section	Nature and extent of Power	REMARKS
1	2	3	4	5
39—*contd.*	Constitution and powers of Criminal Courts and Offices—*contd.*	Section 16 ..	The Provincial Government may, or , subject to the control of the Provincial Government, the District Magistrate may, from time to time, make rules consistent with this Code for the guidance of Magistrates' Benches in any district respecting the following subjects:— (*a*) the classes of cases to be tried; (*b*) the times and places of sitting; (*c*) the constitution of the Bench for conducting trials; (*d*) the mode of settling differences of opinion which may arise between the Magistrates in session.	
		Section 17 (1) ..	All Magistrates appointed under section 12, 13 and 14, and all Benches constituted under section 15, shall be subordinate to the District Magistrate and he may, from time to time, make rules or give special orders consistent with this Code as to the distribution of business among such Magistrates and Benches.	
		Section 17 (2) ..	Every Magistrate (other than a Sub-Divisional Magistrate) and every Bench exercising powers in a sub-division shall also be subordinate to the Sub-Division Magistrate, subject, however, to the general control of the District Magistrate.	
		Section 17 (4) ..	The Sessions Judge may also, when he himself is unavoidably absent or incapable of acting, make provision for the disposal of any urgent application by an Additional or Assistant Session Judge or, if there be no Additional Assistant Judge, by the District Magistrate and such Judge or Magistrate shall have jurisdiction to deal with any such application.	
		Section 17 (5) ..	Neither the District Magistrate nor the Magistrates or Benches appointed constituted under sections 12, 13, 14 and 15 shall be subordinate to the Sessions Judge, except to the extent and in the manner hereinafter expressly provided.	

		Section 25 ..	virtue of their respective offices, (the Judges of the High Courts) are Justices of the Peace within and for all the Province and the Capital of the Federation, Sessions Judges and District Magistrates are Justices of the Peace within and for the whole of the territories administered by the Provincial Government under which they are serving.	
		Section 29 B ..	Any offence, other than one punishable with death or transportation for life, committed by any person who at the date when he appears or is brought before the Court is under the age of fifteen years, may be tried by a District Magistrate or by any Magistrate specially empowered by the Provincial Government to exercise the powers conferred by section 8, sub-section (1), of the Reformatory Schools Act, 1897, or in any area in which the said Act has been wholly or in part repealed by any other law providing for the custody, trial or punishment of youthful offenders, by any Magistrate empowered by or under such law to exercise all or any of the powers conferred thereby.	
		Section 36 ..	All District Magistrates, sub-divisional Magistrates and Magistrate of the first, second and third classes, have the powers hereinafter respectively conferred upon them and specified in the third schedule. Such powers are called their "ordinary powers".	
		Section 37 ..	In addition to his ordinary powers, any Sub-Divisional Magistrate or any Magistrate of the first, second or third class may be invested by the Provincial Government or the District Magistrate, as the case may be, with any powers specified in the fourth schedule as power with which he may be invested by the Provincial Government or the District Magistrate.	
		Section 38 ..	The power conferred on the District Magistrate by section 37 shall be exercised subject to the control of the Provincial Government.	
		Section 41 (2) ..	Any powers conferred by the District Magistrate may be withdrawn by the District Magistrate.	
		Section 45 (1) ..	Every village-headman, village-accountant, village-watchman, village police-office, owner or occupier of land, and the agent of any such owner or occupier in charge of the management of that land, and every officer employed in the collection of revenue or rent of land on the part of the state or the Court of Wards, shall forthwith communicate to the nearest Magistrate or to the officer in charge of the nearest police station whichever is the nearer, any information which he may possess respecting— (*f*) any matter likely to affect the maintenance of order or the prevention of crime or the safety or person or property respecting which the District Magistrate, by general or special order made with the previous sanction of the Provincial Government, has directed him to communicate information.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
39—*contd.*	Constitution and powers of Criminal Courts Officers—*contd.*	Section 45 (3) ..	Subject to rules in this behalf to be made by the Provincial Government, the District Magistrate or Sub-Divisional Magistrate may from time to time appoint one or more persons with his or their consent to perform the duties of a village-headman under this section whether a village-headman has or or has not been appointed for that village under any other law.	
		Section 62 ..	Officer in charge of police stations shall report to the District Magistrate, or, if he so directs, to the Sub-Divisional Magistrate, the cases of all persons arrested without warrant within the limits of their respective stations, whether such persons have been admitted to bail or otherwise.	
		Section 78 (1) ..	District Magistrate or Sub-Divisional Magistrate may direct a warrant to any land-holder, farmer or manager of land within his district or sub-division for the arrest of any escaped convict, proclaimed offender or person who has been accused of a non-bailable offence, and who has eluded pursuit.	
		Section 87 (1) ..	If any Court has reason to believe (whether after taking evidence or not) that any person against whom a warrant has been issued by it has absconded or is concealing himself so that such warrant cannot be executed, such Court may publish a written proclamation requiring him to appear at a specified place and at a specified time not less than thirty days from the date of publishing such proclamation.	
		Section 88 (1) ..	The Court issuing a proclamation under section 87 may at any time order the attachment of any property, movable or immovable, or both, belonging to the proclaimed person.	
		Section 88 (2) ..	Such order shall authorize the attachment of any property belonging to such person within the district in which it is made; and it shall authorize the attachment of any property belonging to such person without such district when endorsed by the District Magistrate within whose district such property is situate.	
		Section 88 (4) ..	If the property ordered to be attached is immovable, the attachment under this section shall, in the case of land paying revenue the Provincial	

		Government, be made through the Collector of the District in which the land is situate, and in all other cases— (e) by taking possession ; or (f) by the appointment of a receiver; or (g) by an order in writing prohibiting the payment of rent or delivery of property to the proclaimed person or to any one of his behalf; or (h) by all or any two of such methods, as the Court thinks fit.
	Section 88 (6A) ..	If any claim is preferred to, or objection made to the attachment of any property attached under this section within six months from the date of such attachment, by any person other than the proclaimed person, on the ground that the claimant or objector has an interest in such property and that such interest is not liable to attachment under this section the claim or objection shall be inquired into and may be allowed or disallowed in whole or in part; Provided that any claim preferred or objection made within the period allowed by this sub-section may, in the event of the death of the claimant or objector, be continued by his legal representative.
	Section 88 (6B) ..	Claims or objections under sub-section 6 (A) may be preferred or made in the Court by which the order of attachment is issued or, if the claim or objection is in respect of property attached under an order endorsed by a District Magistrate in accordance with the provisions of sub-section (2) in the Court of such Magistrate.
	Section 88 (6C) ..	Every such claim or objection shall be inquired into by the Court in which it is preferred or made: Provided that if it is preferred or made in the Court of a District Magistrate such Magistrate may make it over for disposal to any Magistrate of the first or second class subordinate to him.
	Section 95 (1) ..	If any document, parcel or thing in such custody is, in the opinion of any District Magistrate, High Court or Court of Session, wanted for the purpose of any investigation, inquiry, trial or other proceeding under this Code, such Magistrate or Court may require the Postal or Telegraph authorities, as the case may be, to deliver such document, parcel or thing to such person as such Magistrate or Court directs.
	Section 95 (2) ..	If any such document, parcel or thing is, in the opinion of any other Magistrate, or District Superintendent of Police, wanted for any such purpose, he may require the postal or Telegraph Department, as the case may be, to cause search to be made for and to detain such document, parcel or thing pending the orders of any such District Magistrate, or Court.

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
39—*contd.*	Constitution and powers of Criminal Courts and Offices—*contd.*	Section 98 (1) ..	If a District Magistrate, Sub-Divisional Magistrate, or Magistrate of the First Class, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property or for the deposit or sale or manufacture of forged documents, false seals or counterfeit stamps or coin, or instruments or materials for counter-feiting coin or stamps or for forging, or that any forged documents, false seals or counterfeit stamps or coin, or instruments or materials used for counterfeiting coin or stamps or for forging, are kept or deposited in any place or if a District Magistrate, or a Sub-Divisional Magistrate, upon information and after such inquiry as he thinks necessary has reason to believe that any place is used for the deposit, sale, manufacture or production of any obscene object such as is referred to in section 292 of the Pakistan Penal Code or that any such obscene objects are kept or deposited in any place ; he may by this warrant authorize any police officer above the rank of a constable— (a) to enter, with such assistance as may be required, such place, and (b) to search the same in manner specified in the warrant, and (c) to take possession of any property, documents, seals, stamps or coins therein found which he reasonably suspects to be stolen, unlawfully obtained, forged, false or counterfeit, and also of any such instruments and materials or of any such obscene objects as aforesaid, and (d) to convey such property, documents, seals, stamps, coins, instruments or materials or such obscene objects before a Magistrate, or to guard the same on the spot until the offender is taken before a Magistrate, or otherwise to dispose thereof in some place of safety, and	

			(e) to make into custody and carry before a Magistrate every person found in such place who appears to have been privy to the deposit, sale or manufacture or keeping of any such property, documents, seals, stamps, coins, instruments or materials or such obscene objects knowing or having reasonable cause to suspect the said property to have been stolen or otherwise unlawfully obtained, or the said documents, seals, stamps, coins, instruments or materials to have been forged, falsified or counterfeited, or the said instruments or materials to have been or to be intended to be used for counterfeiting coin or stamps or for forging or the said obscene objects to have been or to be intended to be sold, let to hire, distributed, publicly exhibited, circulated, imported or exported.	
		Section 100 ..	If any Magistrate of the first class or Sub-Divisional Magistrate has reason to believe that any person is confined under such circumstances that the confinement amounts to an offence, he may issue a search warrant, and the person to whom such warrant is directed may search for the person so confined; and such search shall be made in accordance therewith, and the person, if found shall be immediately taken before a Magistrate, who shall make such order as in the circumstances of the case seems proper.	
		Section 106 (1) ..	Whenever any person accused of any offence punishable under Chapter VIII of the Pakistan Penal Code, other than an offence punishable under section 143, section 149, section153-A or section 154 thereof, or of assault or other offence involving a breach of the peace, or of abetting the same or any person accused of committing criminal intimidation, is convicted of such offence before a High Court, a Court of Session, or the Court of a District Magistrate, a Sub-Divisional Magistrate or a Magistrate of the first class, And such Court is of opinion that it is necessary to require such person to execute a bond for keeping the peace, such Court, may, at the time of passing sentence on such persons, order him to execute a bond for a sum proportionate to his means, with or without sureties, for keeping the peace during such period, not exceeding three years, as it thinks fit to fix.	
		Section 107 (1) ..	Whenever District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class is informed that any person is likely to commit a breach of the peace or disturb the public tranquillity or to do any wrongful act that may probably occasion a breach of the peace, or disturb the public tranquillity, the Magistrate if in his opinion there is sufficient ground for proceeding may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with or without sureties, for keeping the peace for such period not exceeding one year as the Magistrate thinks fit to fix.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
39—*contd.*	Constitution and powers of Criminal Courts and Offices—*contd.*	Section 107(2) ..	Proceedings shall not be taken under this section unless either the persons informed against or the place where the breach of the peace or disturbance is apprehended, is within the local limits of such Magistrate's jurisdiction, and no proceedings shall be taken before any Magistrate, other than a District Magistrate, unless both the person informed against and the place where the breach of the peace or disturbance is apprehended, are within the local limits of the Magistrate's jurisdiction.	
		Section 108 ..	Whenever a District Magistrate, or a Magistrate of the first class specially empowered by the Provincial Government in this behalf, has information that there is within the limits of his jurisdiction any person who, within or without such limits, either orally or in writing or in any other manner intentionally disseminates or attempts to disseminate, or in anywise abets the dissemination of,— (a) any seditious matter, that it to say any matter the publication of which is punishable under section 123-A or section 124-A of the Pakistan Penal Code, or (b) any matter the publication of which is punishable under section 153-A of the Pakistan Penal Code, or (c) any matter concerning a Judge which amounts to criminal intimidation or defamation under the Pakistan Penal Code, such Magistrate, if in his opinion there is sufficient ground for proceeding may in manner hereinafter provided require such person to show cause why he should not be ordered to execute a bond, with or without sureties, for his good behaviour for such period, not exceeding one year, as the Magistrate thinks fit to fix.	

			No proceedings shall be taken under this section against the editor, proprietor, printer or publisher of any publication registered under and edited, printed and published in conformity with the rules laid down in the Press and Registration of Books, Act, 1867, with reference to any matters contained in such publication except by the order or under the authority of the Provincial Government or some officer empowered by the Provincial Government in this behalf.	
		Section 109 ..	Whenever a District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class receive information— (a) that any person is taking precautions to conceal his presence within the local limits of such Magistrates' jurisdiction, and that there is reason to believe that such person is taking such precautions with a view to committing any offence, or (b) that there is within such limits a person who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself. such Magistrate may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with sureties, for his good behaviour for such period, not exceeding one year, as the Magistrate thinks fit to fix.	
		Section 110 ..	Whenever a District Magistrate, or Sub-Divisional Magistrate or a Magistrate of the first class specially empowered in this behalf by the Provincial Government receives information that any person within the local limits of his jurisdiction— (a) is by habit a robber, house-breaker, thief, or forger, or (b) is by habit a receiver of stolen property knowing the same to have been stolen, or (c) habitually protects or harbours thieves or aids, in the concealment or disposal of stolen property, or (d) habitually commits, or attempts to commit, or abets the commission of the offence of kidnapping, abduction, extortion, cheating or mischief, or any offence punishable under Chapter XII of the Pakistan Penal Code, or under section 489A, section 489B, section 489C, or section 489D of that Code, or (e) habitually commits, or attempts to commit, or abets the commission of offences involving a breach of the peace, or	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
39—*contd.*	Constitution and powers of Criminal Courts and Offices—*contd.*	Section 110—*concld.*	(f) is so desperate and dangerous as to render his being at large without security hazardous to the community. such Magistrate may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond with sureties, for his good behaviour for such period, not exceeding three years, as the Magistrate thinks fit to fix.	
		Section 112 ..	When a Magistrate acting under section 107, section 108, section 109 or section 110 deems it necessary to require any person to show cause under such section, he shall make an order in writing, setting forth the substance of the information received, the amount of the bond to be executed, the term for which it is to be in force, and the number, character and class of sureties (if any) required.	
		Section 124(1) ..	Whenever the District Magistrate is of opinion that any person imprisoned for failing to give security under this Chapter may be released without hazard to the community or to any other person, he may order such person to be discharged.	
		Section 124 (2) ..	Whenever any person has been imprisoned for failing to give security under this Chapter, the District Magistrate may (unless the order has been made by some Court superior, to his own) make an order reducing the amount of the security or the number of sureties or the time for which security has been required.	
		Section 124(5) ..	If any condition upon which any such person has been discharged is, in the opinion of the District Magistrate by whom the order of discharge was made or of his successor, not fulfilled, he may cancel the same.	
		Section 124(6) ..	When a conditional order of discharge has been cancelled under subsection (5) such person may be arrested by any police officer without warrant, and shall thereupon be produced before the District Magistrate.	

		Section 124 (6) ..	Unless such person then gives security in accordance with the terms of the original order for the unexpired portion of the term for which he was in the first instance committed or ordered to be detained (such portion being deemed to be a period equal to the period between the date of the breach of the conditions of discharge and the date on which, except for such conditional discharge, he would have been entitled to release), the District Magistrate may remand such person to prison to undergo such unexpired portion. A person remanded to prison under this subsection shall, subject to the provisions of section 122, be released at any time on giving security in accordance with the terms of the original order for the unexpired portion aforesaid to the Court or Magistrate by whom such order was made, or to its or his successor.	
		Section 125 ..	The District Magistrate may at any time, for sufficient reasons to be recorded in writing, cancel any bond for keeping the peace or for good behaviour executed under this Chapter by order of any Court in his District not superior to his Court.	
		Section 126 (1) ..	Any surety for the peacable conduct or good behaviour of another person may at any time apply to a District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class to cancel any bond executed under this Chapter within the local limits of his jurisdiction.	
		Section 126 (2) ..	On such application being made, the Magistrate shall issue his summons or warrant, as he thinks fit, requiring the person for whom such surety is bound to appear or to be brought before him.	
		Section 126 (A) ..	When a person for whose appearance a warrant or summons has been issued under the proviso to sub-section (3) of section 122 or under section 126, sub-section (2), appears or is brought before him, the Magistrate shall cancel the bond executed by such person and shall order such person to give, for the unexpired portion of the term of such bond, fresh security of the same description as the original security. Every such order shall, for the purpose of sections 121, 122, 123 and 124, be deemed to be an order made under section 106 or section 118, as the case may be.	
		Section 129 ..	If any such assembly cannot be otherwise dispersed, and if it is necessary for the public security, that it should be dispersed, the Magistrate of the Highest rank who is present may cause it to be dispersed by military force.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
39—*contd.*	Constitution and powers of Criminal Courts and Offices—*contd.*	Section 133 (1) ..	Whenever a District Magistrate, a Sub-Divisional Magistrate or a Magistrate of the first class considers, on receiving a police report or other information and on taking such evidence (if any) as he thinks fit. That any unlawful obstruction or nuisance should be removed from any way, river or channel which is or may be lawfully used by the public or from any public place, or That the conduct of any trade or occupation, or the keeping of any goods or merchandise, is injurious to the health or physical comfort of the community, and that in consequence such trade or occupation should be prohibited or regulated or such goods or merchandise should be removed or the keeping thereof regulated, or That the construction of any building, or the disposal of any substance, as likely to occasion conflagration or explosion, should be prevented or stopped, or That any building, tent or structure, or any tree is in such a condition that it is likely to fall and thereby cause injury to persons living or carrying on business in the neighbourhood or passing by, and that in consequence the removal, repair or support of such building, tent or structure, or the removal or support of such tree, is necessary, or That any tank, well or excavation adjacent to any such way or public place should be fenced in such manner as to prevent danger arising to the public, or Such Magistrate may make a conditional order requiring the person causing such obstruction or nuisance, or carrying on such trade or occupation, or keeping any such goods or merchandise, or owning, pos-	

			sessing or controlling such building, tent, structure, substance, tank, well or excavation, or owning or possessing such animal or tree, within a time to be fixed in the order. to remove such obstruction or nuisance; or to desist from carrying on, or to remove or regulate in such manner as may be directed, such trade or occupation; or to remove such goods or merchandise, or to regulate the keeping thereof in such manner as may be directed; or to prevent or stop the erection of, or to remove, repair or support, such building, tent or structure; or to remove or support such tree; or to alter the disposal of such substance; or to fence such tank, well or excavation, as the case may be; or to destroy, confine or dispose of such dangerous animal in the manner provided in the said order; or, if he objects so to do. to appear before himself or some other Magistrate of the first or second class, at a time and place to be fixed by the order, and move to have the order set aside or modified in the manner hereinafter provided.	
		Section 133 (2) ..	No order duly made by a Magistrate under this section shall be called in question in any Civil Court.	
		Section 143 ..	A District Magistrate or Sub-Divisional Magistrate, or any other Magistrate empowered by the Provincial Government or the District Magistrate in this behalf, may order any person not to repeat or continue a public nuisance, as defined in the Pakistan Penal Code or any special or local law.	
		Section 144 (1) ..	In cases where, in the opinion of a District Magistrate, Sub-Divisional Magistrate, or of any other Magistrate (not being a Magistrate of the third class) specially empowered by the Provincial Government or the District Magistrate to act under this section, there is sufficient ground for proceeding under this section and immediate prevention or speedy remedy is desirable.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
39—*contd.*	Constitution and powers of Criminal Courts and Offi es—*contd.*	Section 144—*concld.*	Such Magistrate, may, by a written order stating the material facts of the case and served in manner provided by section 134, direct any person to abstain from a certain act or to take certain order with certain property in his possession or under his management, if such Magistrate considers that such direction is likely to prevent, or tends to prevent, obstruction, annoyance or injury or risk of obstruction, annoyance or injury to any person lawfully employed, or danger to human life, health or safety, or a disturbance of the public tranquillity or a roit, or an affray.	
		Section 144 (2) ..	An order under this section may, in cases of emergency or in cases where the circumstances do not admit of the serving in due time of a notice upon the person against whom the order is directed, be passed, *ex-parte*.	
		Section 144 (3) ..	An order under this section may be directed to a particular individual or to the public generally when frequenting or visiting a particular place.	
		Section 145 (1) ..	Whenever a District Magistrate, Sub-Dividional Magistrate or Magistrate of the first class is satisfied from a police report or other information that a dispute likely to cause a breach of the peace exists concerning any land or water or the boundaries thereof, within the local limits of his jurisdiction, he shall make an order in writing, stating the grounds of his being so satisfied, and requiring the parties concerned in such dispute to attend his Court in person or by pleader, within a time to be fixed by such Magistrate, and to put in writing statements of their respective claims as respects the fact of actual possession of the subject of dispute.	
		Section 145 (3) ..	A copy of the order shall be served in manner provided by this Code for the service of a summons upon such person or persons as the Magistrate may direct, and at least one copy shall be published by being fixed to some conspicuous place at or near the subject of dispute.	

		Section 145 (4) ..	The Magistrate shall then, without reference to the merits of the claims of any of such parties to a right to possess the subject of dispute, peruse the statements so put in, hear the parties, receive all such evidence as may be produced by them, respectively, consider the effect of such evidence, take such further evidence (if any) as he thinks necessary, and, if possible, decide whether any and which of the parties was at the date of the order before mentioned in such possession of the said subject; Provided, that, if it appears to the Magistrate that any party has within two months next before the date of such order been forcibly and wrongfully, dispossessed, he may treat the party so dispossessed as if he had been in possession at such date. Provided also, that if the Magistrate considers the case one of emergency, he may at any time attach the subject of dispute, pending his decision under this Section.	
		Section 145 (5) ..	Nothing in this section shall preclude any part so required to attend, or any other person interested, from showing that no such dispute as aforesaid exists or has existed, and in such case the Magistrate shall cancel his said order, and all further proceedings thereon shall be stayed, but subject to such cancellation, the order of the Magistrate under sub-section (1)shall be final.	
		Section 145 (6) ..	If the Magistrate decides that one of the parties was or should under the first proviso to sub section (4) be treated as being in such possession of the said subject, he shall issue an order de laring such party to be entitled to possession thereof until evicted therefrom in due course of law, and forbidding all disturbance of such possession until such eviction and when he proceeds under the first proviso to sub-section (4), may restore to possession the party forcibly and wrongfully dispossessed.	
		Section 145 (7) ..	When any party to any such proceeding dies, the Magistrate may cause the legal representative of the deceased party to be made a party to the proceeding and shall there upon continue the inquiry, and if any qiuestion arises as to who the legal representative of a deceased party for the purposes of such proceeding is, all person claiming to be representatives of the deceased party shall be made parties thereto.	

Serial No.	Act/ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
39—*contd.*	Constitution and powers of Criminal Courts and Offices—*contd.*	Section 145 (8) ..	If the Magistrate is of opinion that any crop or other produce of the property, the subject of dispute in a proceeding under this section pending before him, is subject to speedy and natural decay, he may make an order for the proper custody or sale of such property, and, upon the completion of the inquiry, shall make such order for the disposal of such property, or the sale-proceeds thereof, as he thinks fit.	
		Section 145 (9) ..	The Magistrate may, if he thinks fit, at any stage of the proceedings under this section, on the application of either party, issue a summons to any witness directing him to attend or to produce any document or thing.	
		Section 146 (1) ..	If the Magistrate decides that none of the parties was then in such possession, or is unable to satisfy himself as to which of them was then in such possession of the subject of dispute, he may attach it until a competent Court has determined the right of the parties thereto, or the person entitled to possession thereof: Provided that the District Magistrate or the Magistrate who has attached the subject of dispute may withdraw the attachment at any time if he is satisfied that there is no longer any likelihood of a breach of the peace in regard to the subject of dispute.	
		Section 146 (2) ..	When the Magistrate attaches the subject of dispute, he may, if he thinks fit and if no receiver of the property, the subject of dispute, has been appointed by any Civil Court appoint a receiver thereof who, subject to the control of the Magistrate, shall have all the powers of a receiver appointed under the Code of Civil Procedure. Provided that, in the event of a receiver of the property, the subject of dispute, being subsequently appointed by any Civil Court, possession shall be made over to him by the receiver appointed by the Magistrate who shall thereupon be discharged.	

	Section 147 (1) ..	Whenever any District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class is satisfied, from the police report or other information, that a dispute is likely to cause a breach of the peace exists regarding any alleged right of user of any land or water as explained in section 145, sub-section (2) (whether such rights be claimed as an easement or otherwise), within the local limits of his jurisdiction he may make an order in writing stating the grounds of his being so satisfied and requiring the parties concerned in such dispute to attend the court in person or by pleader within a time to be fixed by such Magistrate and to put in written statement of their respective claims, and shall thereafter inquire into the matter in the manner provided in section 145, and the provisions of that section shall, as far as may be applicable in the case of such inquiry.
	Section 147 (2) ..	If it appears to such Magistrate that such right exists, he may make an order prohibiting any interference with the exercise of such right. Provided that no such order shall be made where the right is exercisable at all times of the year, unless such right has been exercised within three months next before the institution of the inquiry, or where the right is exercisable only at particular seasons or on particular occasion, unless the right has been exercised during the last of such seasons or on the last of such occasions before such institution.
	Section 147 (3) ..	If it appears to such Magistrate that such right does not exist, he may make an order prohibiting any exercise of the alleged right.
	Section 148 (1) ..	Whenever a local inquiry is necessary for the purposes of this Chapter, any District Magistrate or Sub-Divisional Magistrate may depute any Magistrate subordinate to him to make the inquiry, and may furnish him with such written instructions as may seem necessary for his guidance, and may declare by whom the whole or any part of the necessary expenses of the inquiry shall be paid.
	Section 164 (1) ..	Any Magistrate of the first class and any Magistrate of the second class specially empowered in this behalf by the Provincial Government may, if he is not a police officer record any statement or confession made to him in the course of an investigation under this Chapter or at any time afterwards before the commencement of the inquiry or trial.
	Section 164 (2) ..	Such statements shall be recorded in such of the manners hereinafter prescribed for recording evidence as is, in his opinion best fitted for the

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
3—*contd.*	Constitution and powers of Criminal Courts and Offices—*contd.*	Section 164 (2)—*concld.*	circumstances of the case. Such confessions shall be recorded and signed in the manner provided in section 364, and such statements or confessions shall then be forwarded to the Magistrate by whom the case is to be inquired into or tried.	
		Section 164 (3) ..	A Magistrate shall, before recording any such confession, explain to the person making it that he is not bound to make a confession and that if he does so it may be used as evidence against him and no Magistrate shall record any such confession unless, upon questioning the person making it, he has reason to believe that it was made voluntarily; and, when he records any confession, he shall make a memorandum at the foot of such record to be the following effect :— "I have explained to (name) that he is not bound to make a confession and that, if he does so, any confession he may make may be used as evidence against him and I believe that this confession was voluntarily made. It was taken in my presence and hearing, and was read over the person making it and admitted by him to be correct, and it contains a full and true account of the statement made by him. (Sd). A. B. Magistrate." *Explanation*—It is not necessary that the Magistrate receiving and recording a confession or statement should be a Magistrate having jurisdiction in the case.	

		Section 170 (1) ..	If, upon an investigation under this Chapter, it appears to the officer in charge of the police station that there is sufficient evidence or reasonable ground as aforesaid, such officer shall forward the accused under custody to a Magistrate empowered to take cognizance of the offence upon a police report and to try the accused or commit him for trial or, if the offence is bailable and the accused is able to give security, shall take security from him for his appearance before such Magistrate on a day fixed and for his attendance from day to day before such Magistrate until otherwise directed.	
		Section 170 (2) ..	When the officer in charge of a police station forwards an accused person to a Magistrate or takes security for his appearance before such Magistrate under this section, he shall send to such Magistrate any weapon or other article which it may be necessary to produce before him, and shall require the complainant (if any) and so many of the persons who appear to such officer to be acquainted with the circumstances of the case as he may think necessary, to execute a bond to appear before the Magistrate as thereby directed and prosecute or give evidence (as the case may be) in the matter of the charge against the accused.	
		Section 170 (3) ..	If the Court of the District Magistrate or Sub-Divisional Magistrate is mentioned in the bond, such Court shall be held to include any Court to which such Magistrate may refer the case for inquiry or trial, provided reasonable notice of such reference is given to such complainant or persons.	
		Section 174 (1) ..	The officer in charge of a police station or some other police officer specially empowered by the Provincial Government in that behalf, on receiving information that a person— (a) has committed suicide, or (b) has been killed by another, or by an animal, or by machinery, or by an accident, or (c) has died under circumstances raising a reasonable suspicion that some other person has committed an offence, shall immediately give intimation thereof to the nearest Magistrate empowered to hold inquests, and unless otherwise directed by any rule prescribed by the Provincial Government, or by any general or special order of the District or Sub-Divisional Magistrate, shall proceed to the place where the body of such deceased person is, and there, in the presence of two or more respectable inhabitants of the neighbourhood,	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
20—contd.	Constitution and powers of Criminal Courts and Offices—contd.	Section 174 (1)—concld.	shall make an investigation, and draw up a report of the apparent cause of death, describing such wounds, fractures, bruises and other marks of injury as may be found on the body, and stating in what manner, or by what weapon or instrument (if any) such marks appear to have been inflicted.	
		Section 174 (2) ..	The report shall be signed by such police officer and other persons, or by so many of them as concur therein and shall be forthwith forwarded to the District Magistrate or the Sub-Divisional Magistrate.	
		Section 174 (5) ..	The following Magistrates are empowered to hold inquests, namely, any District Magistrate, Sub-Divisional Magistrate or Magistrate of the First Class, and any Magistrate especially empowered in this behalf by the Provincial Government or the District Magistrate.	
		Section 186 (1) ..	When a District Magistrate, a Sub-Divisional Magistrate, or, if he is specially empowered in this behalf by the Provincial Government, a Magistrate of the First Class sees reason to believe that any person within the local limits of his jurisdiction has committed without such limits (whether within or without Pakistan) an offence which cannot, under the provisions of section 177 to 184 (both inclusive) or any other law for the time being in force, be inquired into or tried within such local limits, but is under some law for the time being in force triable in Pakistan such Magistrate may inquire into the offence as if it had been committed within such local limits and compel such person in manner hereinbefore provided to appear before him and send such person to the Magistrate having jurisdiction to inquire into or try such offence, or, if such offence is bailable, take a bond with or without sureties for his appearance before such Magistrate.	

		Section 186 (2) ..	When there are more Magistrates than one having such jurisdiction and the Magistrate acting under this section cannot satisfy himself as to the Magistrate to or before whom such person should be sent or bound to appear, the case shall be reported for the orders of the High Court.	
		Section 187 (1) ..	If the person has been arrested under a warrant issued under section 186 by a Magistrate other than a District Magistrate, such Magistrate shall send the person arrested to the District or Sub-Divisional Magistrate to whom he is subordinate, unless the Magistrate having jurisdiction to inquire into or try such offence issues his warrant for the arrest of such person, in which case the person arrested shall be delivered to the police officer executing such warrant or shall be sent to the Magistrate by whom such warrant was issued.	
		Section 187 (2) ..	If the offence which the person arrested is alleged or suspected to have committed is one which may be inquired into or tried by any Criminal Court in the same district other than that of the Magistrate acting under section 186, such Magistrate shall send such person to such Court.	
		Section 190 (1) ..	Except as hereinafter provided, any District Magistrate or Sub-Divisional Magistrate and any other Magistrate specially empowered in this behalf, may take cognizance of any offence— (a) upon receiving a complaint of facts which constitute such offence; (b) upon a report in writing of such facts made by any police officer; (c) upon information received from any person other than a Police Officer, or upon his own knowledge or suspicion that such offence has been committed.	
		Section 190 (2) ..	The Provincial Government. or the District Magistrate subject to the general or special orders of the Provincial Government, may empower any Magistrate to take cognizance under subsection (1), clause (a) or clause (b) of offences for which he may try or commit for trial.	
		Section 196 (A) (2) ..	No court shall take cognizance of the offence of criminal conspiracy punishable under section 120-B of the Pakistan Penal Code.— Iin a case where the object of the conspiracy is to commit any non-cognizable offence, or a cognizable offence not punishable with death,	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
39—*contd.*		Section 196 (A)—*concld.*	transportation or rigorous imprisonment for a term of two years or upwards, unless the Provincial Government or a District Magistrate empowered in this behalf by the Provincial Government has, by order in writing, consented to the initiation of the proceedings; Provided that where the criminal conspiracy is one to which the provisions of sub-section (4) of section 195 apply no such consent shall be necessary.	
		Section 196 (B) ..	In the case of any offence in respect of which the provisions of section 196 or section 196-A apply, a District Magistrate may, notwithstanding anything contained in those sections or in any other part of this Code, order a preliminary investigation by a police officer not being below the rank of Inspector, in which case such police officer shall have the powers referred to in section 155, sub-section (3).	
		Section 206 (1) ..	Any District Magistrate, Sub-Divisional Magistrate or Magistrate of the first Class, or any Magistrate (not being a Magistrate of the Third Class) empowered in this behalf by the Provincial Government, may commit any person for trial to the Court of Session or High Court for any offence triable by such Court.	
		Section 219 (1) ..	The Committing Magistrate or, in the absence of such Magistrate, any other Magistrate empowered by or under section 206 may, if he thinks fit, summon and examine supplementary witnesses after the commitment and before the commencement of the trial, and bind them over in manner hereinbefore provided to appear and give evidence.	
		Section 219 (2) ..	Such examination shall, if possible be taken in the presence of the accused, and a copy of the evidence of such witnesses shall be given to the accused free of cost.	

		Section 249 ..	In any case instituted otherwise than upon complaint, a Magistrate of the First Class, or with the previous sanction of the District Magistrate or any other Magistrate, may for reasons to be recorded by him, stop the proceedings at any stage without pronouncing any judgment either of acquittal or conviction, and may thereupon release the accused.	
		Section 260 (1) ..	Notwithstanding anything contained in this Code— (a) the District Magistrate, (b) any Magistrate of the first Class specially empowered in this behalf by the Provincial Government, and (c) any Bench of Magistrates invested with the powers of a Magistrate of the First Class and especially empowered in this behalf by the Provincial Government, may, if he or they think fit, try in a summary way all or any of the following offences :— (a) offence not punishable with death, transportation or imprisonment for a term exceeding six months; (b) offence relating to weights and measures under sections 264, 265 and 266 of the Pakistan Penal Code; (c) hurt, under section 323 of the same Code; (d) theft, under section 379, 380 or 381 of the same Code, where the value of the property stolen does not exceed fifty rupees; (e) dishonest, misappropriation of property under section 403 of the same Code, where the value of the property mis-appropriated does not exceed fifty rupees; (f) receiving or retaining stolen property under section 411 of the same Code, where the value of such property does not exceed fifty rupees; (g) assisting in the concealment or disposal of stolen property, under section 414 of the same Code, where the value of such property does not exceed fifty rupees; (h) mischief, under section 427 of the same Code; (i) house-trespass, under section 448, and offences under sections [451, 453, 454, 456 and 457 of the same Code;	

Serial No	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
29—contd.		Section 260 (1)—concld.	(j) insult with intent to provoke a breach of the peace, under section 504, and criminal intimidation, under section 506 of the same Code; (jj) offence of personation at an election under section 171-F of the same Code; (k) abetment of any of the foregoing offences; (l) an attempt to commit any of the foregoing offences, when such attempt is an offence; (m) offences under section 20 of the Cattle-trespass Act, 1871. Provided that no case in which a Magistrate exercise the special powers conferred by section 34 shall be tried in a summary way.	
		Section 320 ..	The following persons are exempted from liability to serve as jurors or assessors, namely :— (c) Commissioners and Collectors of Revenue or Customs; (e) persons engaged in the collection of the revenue whom the Collector thinks fit to exempt on the ground of official duty;.	
		Section 321 (1) ..	The Sessions Judge, and the Collector of the district or such other officer as the Provincial Government, appoints in this behalf, shall prepare and make out in alphabatical order a list of persons liable to serve as jurors or assessors and qualified in the judgment of the Sessions Judge and Collector or other officer as aforesaid to serve as such, and not likely to be successfully objected to under section 278, clause (b) to (h), both inclusive.	

		Section 322 ..	Copies of such list shall be stuck up in the office of the Collector or other officer as aforesaid, and in the court-houses of the District Magistrate and of the District Court, and extracts therefrom in some conspicuous place in the town or towns in or near which the persons named in the extract reside.
		Section 323 ..	To every such copy or extract shall be sub-joined a notice stating that objections to the list will be heard and determined by the Sessions Judge and Collector or other officer as aforesaid at the Sessions Court house, and at a time to be mentioned in the notice.
		Section 324 (1) ..	For the hearing of such objections the Sessions Judge shall sit with the Collector or other officer as aforesaid and shall at the time and place mentioned in the notice, revise the list and hear the objections (if any) of persons interested in the amendment thereof, and shall strike out the name of any person not suitable in their judgment to serve as a juror, or as an assessor, or who may establish his right to any exemption from service given by section 320 and insert the name of any person omitted from the list whom they deem qualified for such service.
		Section 324 (3) ..	A copy of the revised list shall be signed by the Sessions Judge and Collector or other officer as aforesaid and sent to the Court of Session.
		Section 324 (4) ..	Any order of the Sessions Judge and Collector or other officer as aforesaid in preparing and revising the list shall be final.
		Section 325 ..	In the case of any district for which the Provincial Government has declared that the trial of certain offences shall, if the Judge so direct, be by special jury, the Sessions Judge and the Collector of such district or other officer as aforesaid shall prepare, in addition to the revised list hereinbefore prescribed, a special list containing the names of such jurors as are borne on the revised list and are, in the opinion of such Sessions Judge and Collector or other officer as aforesaid, by reasons of their possessing superior qualifications in respect of property, character or education, fit persons to serve as special jurors. Provided always that the inclusion of the name of any person in such special lists shall not involve the removal of his name from the revised list nor relieve him of liability to serve as an ordinary juror in cases not tried by special jury.
		Section 326 (1) ..	The Sessions Judge shall ordinarily, seven days at least before the day which he may from time to time fix for holding the Sessions, send a letter to the District Magistrate requesting him to summon as many persons named in the said revised list or the said specialist as seem to the Sessions Judge to be needed for trials by jury and trials with the aid

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
39—*contd.*		Section 326 (1)—*contd.*	of assessors at the said sessions, the number to be summoned not being less than double the number required for any such trial.	
		Section 332 (2) ..	Such fine shall be levied by the District Magistrate by attachment and sale of any movable property belonging to such juror or assessor within the local limits of the jurisdiction of the Court making the order.	
		Section 337 (1) ..	In the case of any offence triable exclusively by the High Court or Court of Session, or any offence punishable with imprisonment which may extend to ten years, or any offence punishable under section 211 of the Pakistan Penal Code with imprisonment which may extend to seven years, or any offence under any of the following sections of the Pakistan Penal Code, namely, sections 216-A, 369, 401, 435 and 477-A, the District Magistrate, a Sub-Divisional Magistrate or any Magistrate of the First Class may, at any stage of the investigation or inquiry into, or the trial of the offence, with a view to obtaining the evidence of any person supposed to have been directly or indirectly concerned in or privy to the offence, tender a pardon to such person on condition of his making a full and true disclosure of the whole of the circumstances within his knowledge relative to the offence and to every other person concerned, whether as principal or abettor, in the commission thereof: Provided that where the offence is under inquiry or trial, no Magistrate of the First Class other than the District Magistrate shall exercise the power hereby conferred unless he is the Magistrate making the inquiry or holding the trial, and, where the offence is under investigation, no such Magistrate shall exercise the said power unless he is a Magistrate having jurisdiction in a place where the offence might be inquired into or tried and the sanction of the District Magistrate has been obtained to the exercise thereof.	

		Section 338 ..	At any time after commitment, but before judgment is passed, the Court to which the commitment is made may, with the view of obtaining on the trial the evidence of any person supposed to have been directly or indirectly concerned in, or privy to, any such offence, tender, or order, the committing Magistrate or the District Magistrate to tender, a pardon on the same condition to such person.	
		Section 346 (1) ..	If, in the course of an inquiry or a trial before a Magistrate in any district the evidence appears to him to warrant a presumption that the case is one which should be tried or committed for trial by some other Magistrate in such district, he shall stay proceedings and submit the case, with a brief report explaining its nature, to any Magistrate to whom he is subordinate or to such other Magistrate, having jurisdiction, as the District Magisrate directs.	
		Section 349 (1) ..	Whenever a Magistrate of the second or third class, having jurisdiction, is of opinion, after hearing the evidence for the prosecution and the accused, that the accused is guilty, and that he ought to receive a punishment different in kind from, or more severe than, that which such Magistrate is empowered to inflict, or that he ought to be required to execute a bond under section 106, he may record the opinion and submit his proceedings, and forward the accused to the District Magistrate or Sub-Divisional Magistrate to whom he is subordinate.	
		Section 349 (1A) ..	When more accused than one are being tried together and the Magistrate considers it necessary to proceed under sub-section (1) in regard to any of such accused, he shall forward all the accused who are in his opinion guilty to the District Magistrate or Sub-Divisional Magistrate.	
		Section 350 (1) ..	Whenever any Magistrate, after having heard and recorded the whole or any part of the evidence in an inquiry or a trial, ceases to exercise jurisdiction thereon, and is succeeded by another Magistrate who has and who exercises such jurisdiction, the Magistrate so succeeding may act on the evidence so recorded by his predecessor, or partly recorded by his predecessor and partly recorded by himself; or he may resummon the witnesses and recommence the inquiry or trial. Provided as follows— (a) in any trial the accused may, when the second Magistrate commences his proceedings, demand that the witnesses or any of them be re-summoned and re-heard;	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
30—*contd.*		Section 350 (1)—*concld.*	(b) the High Court, or, in cases tried by Magistrates subordinate to the District Magistrate, the District Magistrate, may, whether there be an appeal or not, set aside any conviction passed on evidence not wholly recorded by the Magistrate before whom the conviction was held, if such Court or District Magistrate is of opinion that the accused has been materially prejudiced thereby, and may order a new inqurinry or trial.	
		Section 355 (1) ..	In summons cases tried before a Magistrate and in cases of the offences mentioned in sub-section (1) of section 260, clauses (b) to (m), both inclusive, when tried by a Magistrate of the first or second class and in all proceedings under section 514 (if not in the course of a trial), the Magistrate shall make a me orandum of the substance of the evidence of each witness as the examination of the witness proceeds.	
		Section 373 ..	In cases tried by the Court of Sessions, the Court shall forward a copy of its finding and sentence (if any) to the District Magistrate within the local limits of whose jurisdiction the trial was held.	
		Section 380 ..	Where proceedings are submitted to a Magistrate of the first class or a Sub-Divisional Magistrate as provided by section 562, such Magistrate may thereupon pass such sentence or make such order as he might have passed or made if the case had originally been heard by him, and, if he thinks further inquiry or additional evidence on any point to be necessary, he may make such inquiry or take such evidence himself or direct such inquiry or evidence to be made or taken.	
		Section 386 (1) ..	Whenever an offender has been sentenced to pay a fine, the Court passing the sentence may take action for the recovery of the fine in either or both of the following ways, that is to say, it may— (b) issue a warrant to the Collector of the District authorising him to realise the amount by execution according to civil process against the movable or immovable property, or both, of the defaulter.	

		Section 386 (3) ..	Where the courts issue a warrant to the Collector under sub-section (1), clause (b) such warrant shall be deemed to be a decree, and the Collector to be the decree-holder, within the meaning of the Code of Civil Procedure, 1908, and the nearest Civil Court by which any decree for a like amount could be executed shall, for the purposes of the said Code, be deemed to be the Court which passed the decree, and all the provisions of that Code as to execution of decrees shall apply accordingly; Provided that no such warrant shall be executed by the arrest or detention in prison of the offender.	
		Section 387 ..	A warrant issued under section 386, sub-section (1), clause (a), by any Court may be executed within the local limits of the jurisdiction of such Court, and it shall authorize the attachment and sale of any such property without such limits, when endorsed by the District Magistrate within the local limits of whose jurisdiction such property is found. Any person who has been ordered by a Magistrate under section 118 to give security for keeping the peace or for good behaviour may appeal against such order to the Court of Session: Provided that the Provincial Government, may by notification in the official Gazette, direct that in any district specified in the notification appeals from such order made by a Magistrate other than the District Magistrate shall lie to the District Magistrate and not to the Court of Session: Provided, further, that nothing in this section shall apply to persons the proceedings against whom are laid before a Sessions Judge in accordance with the povision of sub-sections (2) of sub-section (3-A) of section 123.	
		Section 406-A ..	Any person aggrieved by an order refusing to accept or rejecting a surety under section 122 may appeal against such order. * * * * * * * (*b*) If made by the District Magistrate, to the Court of Sessions; or (*c*) If made by a Magistrate other than the District Magistrate, to the District Magistrate.	

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1	2	3	4	5
39—*contd.*		Section 407 (1) ..	Any person convicted on a trial held by any Magistrate of the second or third class, or any person sentenced under section 349 or in respect of whom an order has been made or a sentence has been passed under section 380 by a Sub-Divisional Magistrate of the second class, may appeal to the District Magistrate.	
		Section 407 (2) ..	The District Magistrate may direct that any appeal under this section, or any class of such appeals, shall be heard by any Magistrate of the first class subordinate to him and empowered by the Provincial Government to hear such appeals, and thereupon such appeal or class of appeals may be presented to such subordinate Magistrate, or, if already presented to the District Magistrate, may be transferred to such subordinate Magistrate. The District Magistrate may withdraw from such Magistrate any appeal or class of appeals so presented or transferred.	
		Section 413 ..	Notwithstanding anything hereinbefore contained, there shall be no appeal by a convicted person in cases in which a High Court passed a sentence of imprisonment not exceeding six months only or of fine not exceeding two hundred rupees only or in which a Court of Session passes a sentence of imprisonment not exceeding one month only, or in which a Court of Session or District Magistrate or other Magistrate of the First Class passes a sentence of fine not exceeding fifty rupees only. * * *. *Explanation*—There is no appeal from a sentence of imprisonment passed by such Court or Magistrate in default or payment of fine when no substantive sentence of imprisonment has also been passed.	
		Section 425 (1) ..	Whenever a case is decided on appeal by the High Court under this Chapter, it shall certify its judgment, or order to the Court by which the finding, sentence or order appealed against was recorded or passed. If the finding, sentence or order was recorded or passed by a Magistrate other than the District Magistrate, the certificate shall be sent through the District Magistrate.	

		Section 435 (1) ..	The High Court or any Sessions Judge or District Magistrate, or any Sub-Divisional Magistrate empowered by the Provincial Government in this behalf, may call for and examine the record of any proceeding before any inferior Criminal Court situate within the local limits of its or his jurisdiction for the purpose of satisfying itself or himself as to the correctness, legality or propriety, of any finding, sentence or order recorded or passed, and as to the regularity of any proceedings of such inferior Court and may, when calling for such record, direct that the execution of any sentence be suspended and, if the accused is in confinement, that he be released on bail or on his own bond pending the examination of the record. *Explanation*—All Magistrates, whether exercising original or appellate jurisdiction, shall be deemed to be inferior to the Sessions Judge for the purposes of this sub-section and of section 437.	
		Section 435 (2) ..	If any Sub-Divisional Magistrate acting under sub-section (1) considers that any such finding, sentence or order is illegal or improper, or that any such proceedings are irregular, he shall forward the record, with such remarks thereon as he thinks fit, to the District Magistrate.	
		Section 435 (4) ..	If an application under this section has been made either to the Sessions Judge or District Magistrate, no further application shall be entertained by the either of them.	
		Section 436 ..	On examining any record under section 435 or otherwise, the High Court or the Session Judge may direct the District Magistrate by himself or by any of the Magistrates subordinate to him to make, and the District Magistrate may himself or make, or direct any Subordinate Magistarte to make, further inquiry into any complaint which has been dismissed under section 203 or sub-section (3) of section 204, or into the case of any person accused of any offence who has been discharged; Provided that no Court shall make any direction under this section for inquiry into the case of any person who has been discharged unless such person has had an opportunity of showing cause why such direction should not be made.	
		Section 437 ..	When, on examining the record of any case under section 435 or otherwise, the Sessions Judge or District Magistrate considers that such case is triable exclusively by the Court of Session and that an accused person has been improperly discharged by the inferior Court, the Sessions Judge or District Magistrate may cause him to be arrested, and may thereupon, instead of directing a fresh inquiry order him to be committed for trial upon the matter of which he has been, in the opinion of the Sessions Judge or District Magistrate, improperly discharged;	

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1	2	3	4	5
39—*contd.*		Section 437—*concld.*	Provided as follows :— (*a*) that the accused has had an opportunity of showing cause to such Judge or Magistrate why the commitment should not be made. (*b*) that, if such Judge or Magistrate thinks that the evidence shows that some other offence has been committed by the accused, such Judge or Magistrate may direct the inferior Court to inquire into such offence.	
		Section 438 (1) ..	The Sessions Judge or District Magistrate may, if he thinks fit, on examining under section 435 or otherwise the record of any proceeding, report for the orders of the High Court the result of such examination, and, when such report contains a recommendation that a sentence be reversed or altered, may order that the execution of such sentence be suspended, and, if the accused is in confinement, that he be released on bail or on his own bond.	
		Section 479 ..	When any such commitment is made by a Civil or Revenue Court, the Court shall send the charge with the order of commitment and the record of the case to the District Magistrate or other Magistrate authorised to commit for trial, and such Magistrate shall bring case before the High Court of Sessions, as the case may be, together with the witnesses for the prosecution and defence.	
		Section 488 (1) ..	If any person having sufficient means neglects or refuses to maintain his wife or his legitimate or illegitimate child unable to maintain itself, the District Magistrate, Sub-Divisional Magistrate or a Magistrate of the first class may, upon proof of such neglect or refusal, order such person to make a monthly allowance for the maintenance of his wife or such child, at such monthly rate, not exceeding four hundred rupees in the whole, as such Magistrate thinks fit and to pay the same to such person as the Magistrate from time to time directs.	

			Provided that, if such person offers to maintain his wife on condition of her living with him and she refuses to live with him, such Magistrate may consider any grounds of refusal stated by her, and may make an order under this section notwithstanding such offer, if he is satisfied that there is just ground for so doing.	
		Section 492 (2) ..	The District Magistrate or, subject to the control of the District Magistrate, the Sub-Divisional Magistrate, may, in the absence of the Public Prosecutor, or where no Public Prosecutor has been appointed, appoint any other person, not being an officer of police below such rank as the Provinial Government may prescribe in this behalf to be Public Prosecutor for the purpose of any case.	
		Section 503 (1) ..	Whenever, in the course of an inquiry, a trial or any other proceeding under this Code, it appears to a District Magistrate a Court of Session or the High Court that the examination of a witness is necessary for the ends of justice, and that the attendance of such witness cannot be procured without any amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, such Magistrate or Court may dispense with such attendance and may issue a commission to any District Magistrate or Magistrate of the Frst Class, within the local limits of whose jurisdiction such witness resides, to take the evidence of such witness.	
		Section 503 (2) ..	When the witness resides in an area included in the Federation under clause (bb) of sub-section (1) of section 5 of the Government of India Act, 1935, the commission may be issued to the officer exercising the power of a District Magistrate in or in relation to such area.	
		Section 503 (3) ..	The Magistrate or officer to whom the commission is issued, or if he is the District Magistrate, he, or such Magistrate, of the First Class as he appoints in this behalf, shall proceed to the place where the witness is or shall summon the witness before him, and shall take down his evidence in the same manner, and may for this purpose exercise the same powers, as in trials of warrant cases under this Code.	
		Section 503 (4) ..	Where the commission is issued to an officer exercising the powers of a District Magistrate in or in relation to an areas mentioned in sub-section (2) or to such officer as is mentioned in subsection (2 A) he may, in lieu of proceeding in the manner provided in sub-section (3), delegate his powers and duties under the commission to any officer subordinate to him whose powers are not less than those of a Magistrate of the First Class in Pakistan.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
329—*contd.*		Section 506 ..	Whenever, in the course of an inquiry or a trial or any other proceeding under this Code before any Magistrate other than a District Magistrate it appears that a commission ought to be issued for the examination of a witness whose evidence is necessary for the ends of justice, and that the attendance of such witness cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable, such Magistrate shall apply to the District Magistrate, stating the reasons for the application; and the District Magistrate, may either issue a commission in the manner hereinbefore provided or reject the application.	
		Section 514 (3) ..	Such warrant may be executed within the local limits of the jurisdiction of the Court which issued it; and it shall authorize the attachment and sale of any movable property belonging to such person without such limits, when endorsed by the District Magistrate within the local limits of whose jurisdiction such property is found.	
		Section 515 ..	All orders passed under section 514 by any Magistrate other than a District Magistrate, shall be appealable to the District Magistrate, or, if not so appealed, may be revised by him.	
		Section 517 (1) ..	When an inquiry or a trial in any Criminal Court is concluded, the Court may make such order as it thinks fit for the disposal by destruction, confiscation, or delivery to any person claiming to be entitled to possession thereof or otherwise of any property or document produced before it or in its custody or regarding which any offence appears to have been committed, or which has been used for the commission of any offence.	
		Section 517 (2) ..	When a High Court or a Court of Sessions makes such order and cannot through its own officers conveniently deliver the property to the person entitled thereto , such Court may direct that the order be carried into effect by the District Magistrate.	

		Section 518 ..	In lieu of itself passing an order under section 517, the Court may direct the property to be delivered to the District Magistrate or to a Sub-Divisional Magistrate, who shall in such cases deal with it as if it has been seized by the police and the seizure had been reported to him in the manner hereinafter mentioned.	
		Section 524 (1) ..	If no person within such period establishes his claim to such property, and if the person in whose possession such property was found, is unable to show that it was legally acquired by him, such property shall be at the disposal of the Provincial Government and may be sold under the orders of the District Magistrate or Sub-Divisional Magistrate, or of a Magistrate of the first less empowered by the Provincial Government in this behalf.	
		Section 528 (2) ..	Any District Magistrate or Sub-Divisional Magistrate may withdraw any case from, or recall any case which he has made over to, any, Magistrate subordinate to him and may inquire into or try such case himself, or refer it for inquiry or trial to any other such Magistrate competent to inquire into or try the same.	
		Section 552 ..	Upon complaint made to a District Magistrate on both of the abduction or unlawful detention of a women, or of a female child under the age of sixteen years, for any unlawful purpose, he may make an order for the immediate restoration of such women to her liberty, or of such female child to her husband, parent, guardian or other person having the lawful charge of such child and may compel compliance with such order, using such force as may be necessary.	
		Section 559 (1) ..	When there is any doubt as to who is the successor in office of any Magistrate, the District Magistrate, shall determine by order in writing the Magistrate who shall, for the purposes of this Code or of any proceedings or order thereunder, be deemed to be the successor in office of such Magistrate.	
		Section 561 (1) ..	Notwithstanding any thing in this Code, no Magistrate except a District Magistrate shall— (*a*) take cognizance of the offence of rape where the sexual intercourse was by a man with his wife; or (*b*) commit the man for trial for the offence.	
		Section 561 (2) ..	And, notwithstanding anything in this Code, if a District Magistrate deems it necessary to direct an investigation by a police officer, with respect to such an offence as is referred to in sub-section (1), no police officer of a rank below that of police inspector shall be employed either to make, or to take part in the investigation.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
39—*concld*		Section 565 (1) ..	When any person having been convicted— (*b*) by a Court or Tribunal in any acceding State acting under the general or special authority of the Central Government of any offence which would, if committed in Pakistan have been punishable under any of the aforesaid section or Chapter of Pakistan Penal Code with like imprisonment for a like term, is again convicted of any offence punishable under any of those sections or Chapter with imprisonment for a term of three years or upwards by a High Court Court of Session, District Magistrate, Sub-divisional Magistrate or Magistrate of the first class such Court or Magistrate may, if it or he thinks fit, at the time of passing sentence of transportation or imprisonment on such person, also order that his residence and any change of or absence from such residence after release be notified as hereinafter provided for a term not exceeding five years from the date of the expiration of such sentence.	
40	The Stamp Act, 1899 ..	Section 16 ..	Where the duty with which an instrument is chargeable, or its exemption from duty, depends in any manner upon the duty actually paid in respect of another instrument, the payment of such last mentioned duty shall, if application is made in writing to the Collector for that purpose, and on production of both the instruments, be devoted upon such first mentioned instrument by endorsement under the hand of the Collector or in such other manner if any as the collecting Government may by rule prescribe.	
		Section 18 (2) ..	Where any such instrument cannot, with reference to the description of stamp prescribed therefor, be duly stamped by a private person, it may be taken within the said period of three months to the Collector, who shall stamp the same in such manner as the collecting Government may by rule prescribe, with a stamp of such value as the person so taking such instrument may require and pay for.	

		Section 31 (1) ..	When any instrument, whether executed or not and whether previously stamped or not, is brought to the Collector, and the person bringing it applies to have the opinion of that officer as to the duty (if any) with which it is chargeable, and pays a fee of such amount (not exceeding five rupees and not less than eight annas) as the Collector may in each case direct, the Collector shall determine the duty (if any) with which, in his judgment, the instrument is chargeable.	
		Section 31 (2) ..	For this purpose the Collector may require to be furnished with an abstract of the instrument, and also with such affidavit or other evidence as he may deem necessary to prove that all the facts and circumstances affecting the chargeability of the instrument with duty, or the amount of the duty with which it is chargeable, are fully and truly set forth therein, and may refuse to proceed upon any such application until such abstract and evidence have been furnished accordingly— Provided that— (*a*) no evidence furnished in pursuance of this section shall be used against any person in any civil proceeding, except in an enquiry as to the duty with which the instrument to which it relates is chargeable ; and (*b*) every person by whom any such evidence is furnished shall, on payment of the full duty with which the instrument to which it relates is chargeable, be relieved from any penalty which he may have incurred under this Act by reason of the omission to state truly in such instrument any of the facts or circumstances aforesaid.	
		Section 32 (1) ..	When an instrument brought to the Collector under section 31, is, in his opinion, one of the description chargeable with duty, and— (*a*) the Collector determines that it is already fully stamped, or (*b*) the duty determined by the Collector under section 31, or such a sum as, with the duty already paid in respect of the instrument, is equal to the duty so determined, has been paid, the Collector shall certify by endorsement on such instrument that the fully duty (stating the amount) with which it is chargeable has been paid.	
		Section 32 (2) ..	When such instrument is, in his opinion, not chargeable with duty, the Collector shall certify in manner aforesaid that such instrument is not so chargeable.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
40—*contd.*	The Stamp Act 1899—*contd.*	Section 32 (3) ..	Any instrument upon which an endorsement has been made under this section, shall be deemed to be duly stamped or not chargeable with duty as the case may be ; and, if chargeable with duty, shall be receivable in evidence or otherwise, and may be acted upon and registered as if it had been originally duly stamped : Provided that nothing in this section shall authorise the Collector to endorse— (*a*) any instrument executed or first executed in Pakistan and brought to him after the expiration of one month from the date of its execution or first execution, as the case may be ; (*b*) any instrument executed or first executed out of Pakistan and brought to him after the expiration of three months after it has been first received in the Provinces and the Capital of the Federation ; or (*c*) any instrument chargeable with the duty of one anna or half an anna or any bill of exchange or promissory note, when brought to him, after the drawing or execution thereof on paper not duly stamped.	
		Section 38 (1) ..	When the person impounding an instrument under section 33 has by law or consent of parties authority to receive evidence and admit such instrument in evidence upon payment of a penalty as provided by section 35 or of duty as provided by section 37, he shall send to the Collector an authenticated copy of such instrument, together with a certificate in writing, stating the amount of duty and penalty levied in respect thereof, and shall send such amount to the Collector, or to such person as he may appoint in this behalf.	
		Section 38 (2) ..	In every other case, the person so impounding an instrument shall send it in original to the Collector.	
		Section 39 (1) ..	When a copy of an instrument is sent to the Collector under section 38, sub-section (1), he may if he thinks fit, refund any portion of the penalty in excess of five rupees which has been paid in respect of such instrument.	

		Section 39 (2) ..	When such instrument has been impounded only because it has been written in contravention of section 13 or section 14, the Collector may refund the whole penalty so paid.	
		Section 40 (1) ..	When the Collector impounds any instrument under section 33, or receives any instrument sent to him under section 38, sub-section (2), not being an instrument chargeable with a duty of one anna or half an anna only or a bill of exchange or promissory note, he shall adopt the following procedure:— (*a*) if he is of opinion that such instrument is duly stamped, or is not chargeable with duty, he shall certify by endorsement thereon that it is duly stamped, or that it is not so chargeable, as the case may be; (*b*) if he is of opinion that such instrument is chargeable with duty and is not duly stamped, he shall require the payment of the proper duty or the amount required to make up the same, together with a penalty of five rupees; or, if he thinks fit, an amount not exceeding ten times the amount of the proper duty or of the deficient portion thereof, whether such amount exceeds or falls short of five rupees; Provided that, when such instrument has been impounded only because it has been written in contravention of section 13 or section 14, the Collector may, if he thinks fit, remit the whole penalty prescribed by this section.	
		Section 40 (2) ..	Every certificate under clause (*a*) of sub-section (1) shall, for the purposes of this Act, be conclusive evidence of the matters stated therein.	
		Section 40 (3) ..	Where an instrument has been sent to the Collector under section 38, sub-section (2), the Collector shall, when he has dealt with it as provided by this section, return it to the impounding officer.	
		Section 41 ..	If any instrument chargeable with duty and not duly stamped, not being an instrument chargeable with a duty of one anna or half an anna only or a bill of exchange or promissory note, is produced by any person of his own motion before the Collector within one year from the date of its execution or first execution, and such person brings to the notice of the Collector the fact that such instrument is not duly stamped and offers to pay to the Collector the amount of the proper duty, or the amount required to make up the same, and the Collector is satisfied that the omission to duly stamp such instrument has been occasioned by accident, mistake or urgent necessity, he may, instead of proceeding under section 33 and 40, receive such amount and proceed as next hereinafter prescribed.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
40—*contd.*	The Stamp Act 1899—*contd.* ..	Section 42 (1) ..	When the duty and penalty (if any) leviable in respect of any instrument have been paid under section 35, section 40 or section 41, the person admitting such instrument in evidence or the Collector, as the case may be, shall certify by endorsement thereon that the proper duty or, as the case may be, the proper duty and penalty (stating the amount of each) have been levied in respect thereof, and the name and residence of the person paying them.	
		Section 42 (2) ..	Every instrument so endorsed shall thereupon be admissible in evidence, and may be registered and acted upon and authenticated as if it has been duly stamped, and shall be delivered on his application in this behalf to the person from whose possession it came into the hands of the officer impounding it, or as such person may direct: Provided that— (*a*) no instrument which has been admitted in evidence upon payment of duty and a penalty under section 35, shall be so delivered before the expiration of one month from the date of such impounding, or if the Collector has certified that its further detention is necessary and has not cancelled such certificate; (*b*) nothing in this section shall affect the Code of Civil Procedure, section 144, clause 3.	
		Section 43 ..	The taking of proceedings or the payment of a penalty under this Chapter in respect of any instrument shall not bar the prosecution of any person who appears to have committed an offence against the Stamp-law in respect of such instrument: Provided that no such prosecution shall be instituted in the case of any instrument in respect of which such a penalty has been paid, unless it appears to the Collector that the offence was committed with an intention of evading payment of the proper duty.	

		Section 48 ..	All duties, penalties and other sums required to be paid under this Chapter may be recovered by the Collector by distress and sale of the movable property of the person from whom the same are due, or by any other process for the time being in force for the recovery of arrears of land-revenue.	
		Section 49 ..	Subject to such rules as may be made by the Collecting Government as to the evidence to be required, or the enquiry to be made, the Collector may, on application made within the period prescribed in section 50, and if he is satisfied as to the facts, make allowance for impressed stamps spoiled in the cases hereinafter mentioned, namely :— (*a*) the stamp on any paper inadvertently and undesignedly spoiled, obliterated or by error in writing or any other means rendered unfit for the purpose intended before any instrument written thereon is executed by any person ; (*b*) the stamp on any document which is written out wholly or in part, but which is not signed or executed by any party thereto ; (*c*) in the case of bills of exchange payable otherwise than on demand or promissory notes— (1) the stamp on any such bill of exchange signed by or on behalf of the drawer which has not been accepted or made use of in any manner whatever or delivered out of his hands for any purpose other than by way of tender for acceptance ; provided that the paper on which any such stamp is impressed does not bear any signature intended as for the acceptance : of any bill of exchange to be afterwards written thereon : (2) the stamp on any promissory note signed by or on behalf of the maker which has not been made use of in any manner whatever or delivered out of his hands : *Explanation*—The certificate of the Collector under section 32 that the full duty with which an instrument is chargeable has been paid is an impressed stamp within the meaning of this section.	
		Section 51 ..	The Chief Controlling Revenue authority or the Collector if empowered by the Chief Controlling Revenue Authority in this behalf may, without limit of time, make allowance for stamped papers used for printed forms of instruments by any banker or by any incorporated company or other body corporate, if for any sufficient reason such forms have ceased to be required by the said banker, company or body corporate : provided that such authority is satisfied that the duty in respect of such stamped papers has been duly paid.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
40—*contd.*	The Stamp Act, 1899—*contd.*	Section 52 (*b*) ..	When any stamp used for an instrument has been inadvertently rendered useless under section 15, owing to such instrument having been written in contravention of the provisions of section 13 ; the Collector may, on application made within six months after the date of the instrument, or, if it is not dated, within six months after the execution thereof by the person by whom it was first or alone executed, and upon the instrument, if chargeable with duty, being re-stamped with the proper duty, cancel and allow as spoiled the stamp so misused or rendered useless.	
		Section 53 ..	In any case in which allowance is made for spoiled or misused stamps, the Collector may give in lieu thereof— (*a*) other stamps of the same description and value ; or (*b*) if required and he thinks fit, stamps of any other description to the same amount in value ; or, (*c*) at his discretion, the same value in money, deducting one anna for each rupee or fraction or a rupee.	
		Section 54 ..	When any person is possessed of a stamp or stamps which have not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Collector shall repay to such person the value of such stamps or stamps in money, deducting one anna for each rupee or portion of a rupee, upon such person delivering up the same to be cancelled, and proving to the Collector's satisfaction— (*a*) that such stamp or stamps were purchased by such person with a *bona fide* intention to use them ; and (*b*) that he has paid the full price thereof; and (*c*) that they were so purchased within the period of six months next preceding the date on which they were so delivered :	

			Provided that, where the person is a licensed vendor of stamps, the Collector may, if he thinks fit, make the repayment of the sum actually paid by the vendor without any such deduction as aforesaid.
		Section 55 ..	When any duly stamped debenture is renewed by the issue of a new debenture in the same terms, the Collector shall, upon application made within one month, repay to the person issuing such debenture, the value of the stamp on the original or on the new debenture, whichever shall be less : Provided that the original debenture is produced before the Collector and cancelled by him in such manner as the Provincial Government may direct.
		Section 56 (1) ..	The powers exercisable by a Collector under Chapter IV and Chapter V and under clause (*a*) of the first proviso to section 26 shall in all cases be subject to the control of the Chief Controlling Revenue Authority.
		Section 56 (2) ..	If any Collector, acting under section 31, section 40 or section 41, feels doubt as to the amount of duty with which any instrument is chargeable, he may draw up a statement of the case, and refer it, with his own opinion thereon, for the decision of the Chief Controlling Revenue Authority.
		Section 56 (3) ..	Such authority shall consider the case and send a copy of its decision to the Collector, who shall proceed to assess and charge the duty (if any) in conformity with such decision.
		Section 61 (3) ..	When any declaration has been recorded under sub-section (2), the Court recording the same shall send a copy thereof to the Collector, and, where the instrument to which it relates has been impounded or is otherwise in the possession of such Court, shall also send him such instrument.
		Section 61 (4) ..	The Collector may thereupon, notwithstanding anything contained in the order admitting such instrument in evidence, or in any certificate granted under section 42, or in section 43, prosecute any person for any offence against the Stamp law which the Collector considers him to have committed in respect of such instrument : Provided that— (*a*) no such prosecution shall be instituted where the amount (including duty and penalty) which, according to the determination of such Court, was payable in respect of the instrument under section 35, is paid to the Collector, unless he thinks that the offence was committed with an intention of evading payment of the proper duty ;

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
40—*concld.*	The Stamp Act, 1899—*concld.*	Section 61 (4)—*concld.*	(*b*) except for the purposes of such prosecution, no declaration made under this section shall affect the validity of any order admitting any instrument in evidence, or of any certificate granted under section 42.	
		Section 73 ..	Every public officer having in his custody any registers, books, records, papers, documents or proceedings, the inspection whereof may tend to secure any duty, or to prove or lead to the discovery of any fraud or omission in relation to any duty, shall at all reasonable times permit any person authorised in writing by the Collector to inspect for such purpose the registers, books, papers, documents, and proceedings and to take such notes and extracts as he may deem necessary, without fee of charge.	
41	The Prisoners Act, 1900 ..	Section 37 ..	Subject to the provisions of section 39, any Criminal Court may, if it thinks that the evidence of any person confined in any prison within the local limits of its appellate jurisdiction, if it is a High Court, or, if it is not a High Court, then within the local limits of the appellate jurisdiction of the High Court to which it is subordinate, is material in any matter pending before it, or if a charge of an offence against such person is made or pending make an order in the form set forth in the first or second schedule as the case may be directed to the officer in charge of the prison: Provided that if such Criminal Court is inferior to the Court of a Magistrate of the First Class, the order shall be submitted to, and countersigned by the District Magistrate to whose Court such Criminal Court is subordinate or within the local limits of whose jurisdiction such Criminal Court is situated.	
		Section 38 ..	Where any person, for whose attendance an order as in this part provided is made, is confined in any District other than that in which the Court making or countersigning the order is situate, the order shall be sent by the Court by which it is made or countersigned to the District or Sub-Divisional Magistrate within the local limits of whose jurisdiction the person is confined, and that Magistrate shall cause it to be delivered to the officer-in charge of the prison in which the person is confined.	

		Section 39 (1) ..	Where a person is confined in a prison more than one hundred miles distant from the place where any Court, subordinate to a High Court, in which his evidence is required, is held, the Judge or presiding officer of the Court in which the evidence is so required shall, if he thinks that such person should be removed under this part for the purpose of giving evidence in such Court, and if the prison is within the local limits of the appellate jurisdiction of the High Court to which such Court is subordinate, apply in writing to the High Court and the High Court may, if it thinks fit, make an order in the form set forth in the first schedule, directed to the officer-in-charge of the prison.	
		Section 39 (2) ..	The High Court making an order under subsection (1) shall send it to the District or Sub-Divisional Magistrate within the local limits of whose jurisdiction the person named therein is confined, and such Magistrate shall cause it to be delivered to the officer-in-charge of the prison in which the person is confined.	
		Section 43 (*a*) ..	In any of the following cases, that is to say,— Where the person named in any order made under section 35, section 37 or section 39 appears to be, from sickness or other infirmity, unfit to be removed, the officer-in-charge of the prison in which he is confined, shall apply to the District or Sub-Divisional Magistrate within the local limits of whose jurisdiction the prison is situate, and if such Magistrate, by writing under his hand, declares himself to be of opinion that the person named in the order is, from sickness or other infirmity, unfit to be removed;	
42	The Works of Defence Act, 1903.	Section 3 (2) ..	The said declaration shall be published in the official Gazette and shall state the district or other territorial division in which the land is situate and the place where a sketch plan of the land, which shall be prepared on a scale not smaller than six inches to the mile and shall distinguish the boundaries referred to in section 7, may be inspected; and the Collector shall cause public notice of the substance of the said declaration to be given at convenient places in the locality.	
		Section 5 ..	The officer so authorised shall at the time of such entry pay or tender payment for all necessary damage to be done as aforesaid, and, in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the decision of the Collector or other Chief Revenue Officer of the district, and such decision shall be final.	
		Section 8 ..	As soon as may be after the publication of the declaration aforesaid, the Collector shall cause the land to be marked out and measured, and shall also prepare a register and a detailed plan, which shall be on a scale not smaller than six inches to the mile, showing accurately every building, tree and other obstruction.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
41—*contd.*	The Works of Defence Act, 1903—*contd.*	Section 9 (1) ..	At any time before the expiration of— (*a*) the period of eighteen months from the publication of the declaration referred to in section 3, or (*b*) Such other period not exceeding three years from the said publication as the Central Government may, by notification in the official Gazette, direct in this behalf. The Collector shall cause public notice to be given at convenient places or on near the land, stating the effect of the said declaration and that claims to compensation for all interests in such land affected by anything done or ordered in pursuance of such declaration may be made to him :	
		Section 9 (2) ..	Such notice shall state the particulars of any damage ordered to be done or, in the case referred to in section 6, sub-section (3) done in exercise of any of the powers conferred by the said section, and the particulars of any restrictions attaching to the land under section 7, and shall require all persons interested in the land to appear personally or by agent before the Collector at a time and place therein mentioned (such time not being earlier than fifteen days after the date of publication of the notice), and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for damage to such interests and their objections (if any) to the measurement made under section 8. The Collector may in any case require such statement to be made in writing and signed by the party or his agent.	
		Section 9 (3) ..	The Collector shall also serve notice to the same effect on the occupier (if any) of such land and on all such persons known or believed to be interested therein, or to be entitled to act for persons so interested, as reside or have agents authorised to receive service on their behalf, within the revenue district in which the land is situate.	

		Section 10 ..	The Collector may also require any such person to make or deliver to him, at a time and place mentioned (such time not being earlier than fifteen days after the date of the requisition), a statement containing, so far as may be practicable, the name of every other person possessing any interest in the land or any part thereof as co-proprietor, sub-proprietor, mortgagee, tenant or otherwise, and of the nature of such interest, and of the rents and profits (if any) received or receivable on account thereof for three years next preceding the date of the statement.	
		Section 12 ..	On the day fixed under section 9 or on any other day to which the inquiry has been adjourned, the Collector shall proceed to inquire into the objections (if any) which any person interested has stated pursuant to a notice given under the said section to the measurements made under section 8, and into the decrease in the value of the land, and into the respective interests of the persons claiming the compensation, and shall make an award under his hand of— (*a*) the true area of the land and the nature of the obstructions from which the land is to be kept free ; (*b*) the compensation which in his opinion should be allowed for any damage caused or to be caused under section 6 and for any restrictions imposed under section; 7; and (*c*) the apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom or of whose claims he has information, whether they have respectively appeared before him or not.	
		Section 13 (1) ..	Such award shall be filed in the Collector's office and shall except as hereinafter provided, be final and conclusive evidence, as between the Collector and the person interested, whether they have respectively appeared before the Collector or not, of the true area of the land, the nature of the said obstructions from which the land is to be kept free, the damage caused or to be caused under section 6, the value of the rights restricted under section 7, and the apportionment of the compensation among the persons interested.	
		Section 13 (2) ..	The Collector shall give immediate notice of his award to such of the persons interested as are not present personally or by their representatives when the award is made.	
		Section 14 ..	The Collector may, for any cause he thinks fit, from time to time adjourn the inquiry to a day to be fixed by him.	
		Section 15 ..	For the purpose of inquiries under this Act the Collector shall have power to summon and enforce the attendance of witnesses, including the parties interested or any of them and to compel the production of documents, by the same means, and (so far as may be) in the same manner, as is provided in the case of a Civil Court under the Code of Civil Procedure.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
41—*contd.*	The Works of Defence Act, 1903—*contd.*	Section 16 ..	In determining the amount of compensation, the Collector shall be guided by the provisions contained in section 23 and 24.	
		Section 17 ..	Whenever the officer exercising powers conferred by section 6 considers it necessary that anything in respect of which any person is or may be entitled to compensation but of which no notice has been given or compensation awarded, under sections 9 and 12, respectively, should be done in pursuance of the said powers, the Collector shall cause supplementary notice to be given, as nearly as may be, in the manner prescribed by section 9 and subject to the limit of time imposed by sub-section (1) of that section, and the provisions of sections 10 to 16 shall, so far as they are applicable, be deemed to apply to any further inquiry and award which may be held or made in consequence of such supplementary notice.	
		Section 18 (1) ..	Any person interested who has not accepted the award may, by written application to the Collector, require that the matter be referred by the Collector for the determination of the Court whether his objection be to the measurement of the land, the amount of the compensation, the persons to whom it is payable, or the apportionment of the compensation among the persons interested :— Provided that every such application shall be made— (*a*) if the person making it was present or presented before the Collector at the time when he made his award, within six weeks from the date of the Collector's award ; (*b*) in other cases, within six weeks of the receipt of the notice from the Collector under section 13, sub-section (2) or within six months from the date of the Collector's award, whichever period shall first expire.	

		Section 19 (1) ..	In making the reference the Collector shall state, for the information of the Court, in writing under his hand— (*a*) the situation and extent of the land with particulars of any damage caused under section 6 or of restrictions imposed under section 7 ; (*b*) the names of the persons whom he has reason to think interested in such land : (*c*) the amount of compensation awarded under section 12 ; and (*d*) if the objection be to the amount of the compensation, the grounds on which the amount of compensation was determined.	
		Section 20 ..	The Court shall thereupon cause a notice specifying the day on which the Court will proceed to determine the objection, and directing their appearance before the Court on that day, to be served on the following persons, namely :— (*c*) if the objection is in regard to the area of the land, the nature of the obstructions or the amount of the compensation, the Collector.	
		Section 25 (1) ..	When the applicant has made a claim to compensation, pursuant to any notice given under section 9, the amount awarded to him by the Court shall not exceed the amount so claimed or be less than the amount awarded by the Collector under section 12.	
		Section 25 (2) ..	When the applicant has refused to make such claim or has omitted without sufficient reason (to be allowed by the Judge) to make such claim, the amount awarded by the Court shall in no case exceed the amount awarded by the Collector.	
		Section 25 (3) ..	When the applicant has omitted for a sufficient reason (to be allowed by the Judge) to make such claim, the amount awarded to him by the Court shall not be less than, and may exceed, the amount awarded by the Collector.	
		Section 27 (2) ..	When the award of the Collector is not upheld, the costs shall ordinarily be paid by the Collector, unless the Court is of opinion that the claim of the applicant was so extravagant or that he was so negligent in putting his case before the Collector that some deduction from his costs should be made or that he should pay a part of the Collector's costs.	
		Section 28 ..	If the sum which, in the opinion of the Court, the Collector ought to have awarded as compensation is in excess of the sum which the Collector did award as compensation, the Court may direct that the Collector shall pay interest on such excess at the rate of six per centum per annum from the date of his award to the date of payment of such excess into Court.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
41—*contd.*	The Works of Defence Act, 1903—*contd.*	Section 31 (1) ..	On making an award under section 12, the Collector shall tender payment of the compensation awarded by him to the persons interested entitled thereto according to the award, and shall pay it to them unless prevented by someone or more of the contingencies mentioned in sub-section (2).	
		Section 31 (2) ..	If they do not consent to receive it, or if there is no person competent to alienate the land, or if there is any dispute as to the title to receive the compensation or as to the apportionment of it, the Collector shall deposit the amount of the compensation in the Court to which a reference under section 18 would be submitted : Provided, first, that any person admitted to be interested may receive such payment under protest as to the sufficiency of the amount ; Provided, secondly, that no person who has received the amount otherwise than under protest shall be entitled to make any application under section 18 : Provided, thirdly, that nothing therein contained shall affect the liability of any person, who may receive the whole or any part of any compensation awarded under this Act, to pay the same to the person lawfully entitled thereto.	
		Section 31 (3) ..	Notwithstanding anything in this section, the Collector may with the sanction of the Central Government, instead of awarding a money-compensation in respect of any land, make any arrangement with a person having a limited interest in such land, either by the grant of other lands in exchange, or by the remission of land revenue on the same or on other lands held under the same title, or in such other way as may be equitable having regard to the interests of the parties concerned.	

		Section 31 (4) ..	Nothing in sub-sectic n (3) shall be construed to interfere with or limit the power of the Collector to enter into any arrangement with any person interested in the land and competent to contract in respect thereof.	
		Section 32 (2) ..	In all cases of moneys deposited to which this section applies, the Court shall order the cost of the following matters, including therein all reasonable charges and expenses incident thereto, to be paid by the Collector, namely :— (*a*) the costs of such investments as aforesaid ; (*b*) the costs of the orders for the payment of the interest or other proceeds of the securities in which such moneys are for the time being invested, and for the payment out of Court of the principal of such moneys and the costs of all proceedings relating thereto, except such as may be occasioned by litigation between adverse claimants.	
		Section 35 (1) ..	Service of any notice under this Act shall be made by delivering or tendering a copy thereof signed, in the case of a notice under section 3, sub-section (2), by the officer therein mentioned, and, in the case of any other notice, by or by order of the Collector or the Judge.	
		Section 35 (3) ..	When such person cannot be found, the service may be made on any adult male member of his family residing with him; and, if no such adult male member can be found, the notice may be served by fixing the copy on the outer door of the house in which the person therein named ordinarily dwells or carries on business, or by fixing a copy thereof in some conspicuous place in the office of the officer aforesaid or of the Collector or in the court house and also in some conspicuous part of the land upon which restrictions are to be imposed : Provided that, if the Collector or Judge so directs, a notice may be sent by post in a letter addressed to the person named therein at his last known residence, address or place of business and service of it may be proved by the production of the addressee's receipt.	
		Section 37 ..	If the Collector or officer authorised under section 6 is opposed or impeded in doing anything directed or permitted by this Act, he shall, if a Magistrate, enforce compliance, and, if not a Magistrate, he shall apply to a Magistrate * * * and such Magistrate shall enforce compliance.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
42—*concld.*	The Works of Defence Act, 1903—*concld.*	Section 38 (2) ..	Whenever the Central Government withdraws the imposition of any declared restrictions, the Collector shall determine the amount of compensation due for the damage suffered by the owner in consequence of the notice or of any proceedings thereunder, and shall pay such amount to the person interested, together with all costs reasonably inc rred by him in the prosecution of the proceedings under this Act relating to the said restrictions.	
		Section 39 (1) ..	The provisions of this Act shall not be put in force for the purpose of demolishing or acquiring the right to demolish a part only of any house, manufactory or other building, if the owner desires that the whole of such house, manufactory or building shall be demolished or that the right to demolsih the whole of it shall be acquired : Provided that the owner may at any time before the Collector has made his award under section 12, by notice in writing, withdraw or modify his expressed desire that the whole of such house, manufactory or building shall be demolished, or that the right to demolish the whole of it shall be acquired: Provided, also that, if any question shall arise as to whether any building or other construction proposed to be demolished under this Act does or does not form part of a house, manufactory or building within the meaning of this section, the Collector shall refer the determination of such question to the Court, and such building or other construction shall not be demolished until after the question has been determined. In deciding on such a reference the Court shall have regard to the question whether the building or other construction proposed to be demolished is reasonably required for the full and unimpaired use of the house, manufactory or building.	

		Section 39 (2) ..	If, in the case of any claim of the kind referred to in section 23, sub-section (1), clause (c), by a person interested, on account of ceasing to be able to use the land, upon the use and enjoyment of which restrictions are to be imposed, conjointly with his other land, the Central Government is of opinion that the claim is unreasonable or excessive, it may, at any time before the Collector has made his award, order the imposition of restrictions upon the whole of the land of which the land upon the use and enjoyment of which it was first sought to impose restrictions forms a part.	
		Section 39 (3) ..	In the case provided for by sub-section (2) no fresh declaration or other proceeding under sections 3 to 10 shall be necessary; but the Collector shall without delay furnish a copy of the order of the Central Government to the person interested, and shall thereafter proceed to make his award under section 12.	
43	The Foreign Marriage Act, 1903	Section 2 (1) ..	Notice in writing of a marriage which it is intended to solemnize under the Foreign Marriage Act, 1892, may be given by one of the parties intending such marriage, to— (a) a District Magistrate, or Political Agent, where neither of such parties is a person professing the Christian Religion : Provided that the party giving such notice as aforesaid shall have had his usual place of abode for not less than three consecutive weeks immediately preceding the giving of notice within the local limits of the area for which the Marriage Registrar, Magistrate or Political Agent to whom the notice is given, is appointed.	
44	The Extradition Act, 1903	Section 7 (1) ..	Where an extradition offence has been committed or is supposed to have been committed by a person, in the territories of any State not being a foreign State and such person escapes into or is in Pakistan and the Political Agent in or for such State issues a warrant, addressed to the District Magistrate of any district in which such person is believed to be, for his arrest and delivery at a place and to a person or authority indicated in the warrant, such Magistrate shall act in pursuance of such warrant and may give directions accordingly.	
		Section 7 (2) ..	A warrant issued as mentioned in sub-section (1) shall be executed in the manner provided by the law for the time being in force with reference to the execution of warrants, and the accused person, when arrested, shall be produced before the District Magistrate who shall record any statement made by him; such accused person shall then, unless released in accordance with the provisions of this Act, be forwarded to the place and delivered to the person or authority indicated in the warrant.	
		Section 7 (3) ..	The provisions of the Code of Criminal Procedure for the time being in force in relation to proclamation and attachment in the case of persons absconding shall, with any necessary modifications, apply where any warrant has been received by a District Magistrate under this section as if the warrant had been issued by himself.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
44—*concld.*	The Extradition Act, 1903—*concld.*	Section 8 (1) ..	Where a Political Agent has directed by endorsement on any such warrant that the person for whose arrest it is issued may be released on executing a bond with sufficient sureties for his attendance before a person or authority indicated in this behalf in the warrant at a specified time and place the Magistrate to whom the warrant is, addressed shall on such security being given release such person from custody.	
		Section 8 (2) ..	When security is taken under this section, the Magistrate shall certify the fact to the Political Agent who issued the warrant, and shall retain the bond.	
		Section 8 (3) ..	If the person bound by any such bond does not appear at the time and place specified, the Magistrate may, on being satisfied as to his default, issue a warrant directing that he be re-arrested and handed over to any person authorised by the Political Agent to take him into custody.	
		Section 8-A (2) ..	In the case of any bond executed in pursuance of this section, the District Magistrate may exercise the powers conferred by the Code of Criminal Procedure for the time being in force in relation to taking a deposit in lieu of the execution of a bond and with respect to the forfeiture of bonds and the discharge of sureties.	
		Section 10 (1) ..	If it appears to any Magistrate of the First Class or any Magistrate empowered by the Central Government in this behalf that a person within the local limits of his jurisdiction is accused or suspected of having committed an offence in any state not being a Foreign State and that such person may lawfully be surrendered to such State, or that a warrant may be issued for his arrest under section 7, the Magistrate may, if he thinks fit issue a warrant for the arrest of such person on such information or complaint and on such evidence as would, in his opinion, justify the issue of a warrant if the offence had been committed within the local limits of his jurisdiction.	

45	The Ancient Monuments Preservation Act, 1904.	Section 2A (2) ..	Where such permission is refused without reasonable cause the matter shall be referred by the Director or Officer authorised by him as aforesaid to the Collector who after such enquiry as he thinks fit may authorise the entry and inspection on such conditions as he may consider necessary.	
		Section 2A (3) ..	Where the place or area to be inspected is closed and the whereabouts of the person or body having the right to grant permission as aforesaid are not known an application in this behalf shall be made by the Director or officer aforesaid to the Collector, who, after such enquiry as he thinks fit, and after publication of a notice in the prescribed manner requiring such person or body to open the place or area within such time as may be stated in the notice, may, upon such conditions as he may consider necessary, authorise the Director or officer aforesaid to open and enter the place or area and inspect the same.	
		Section 7 (1) ..	If the Collector apprehends that the owner or occupier of a monument intends to destroy, remove, alter, deface, or imperil the monument or to build on or near the site thereof in contravention of the terms of an agreement for its preservation under section 5, the Collector may make an order prohibiting any such contravention of the agreement.	
		Section 7 (2) ..	If an owner or other person who is bound by an agreement for the preservation or maintenance of a monument under section 5 refuses to do any act which is in the opinion of the Collector necessary to such preservation or maintenance, or neglects to do any such act within such reasonable time as may be fixed by the Collector, the Collector may authorize any person to do any such act, and the expense of doing any such act or such portion of the expense as the owner may be liable to pay under the agreement may be recovered from the owner as if it were an arrear of land revenue.	
		Section 10 (3) ..	In any case other than the cases referred to in sub-section (2) the said powers of compulsory purchase shall not be exercised unless the owner or other person competent to enter into an agreement under section 5 has failed within such reasonable period as the Collector may fix in this behalf, to enter into an agreement proposed to him under the said section or has terminated or given notice of his intention to terminate such an agreement.	
		Section 18 (1) ..	If the Central Government considers that any sculptures, carvings, images, bas-reliefs, inscriptions or other like objects ought not to be moved from the place where they are without the sanction of the Central Government, the Central Government may, by notification in the official Gazette, direct that any such object or any class of such objects shall not be moved unless with the written permission of the Collector.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
45—*contd.*	The Ancient Monuments Preservation Act, 1904—*contd.*	Section 18 (2) ..	A person applying for the permission mentioned in sub-section (1) shall specify the object or objects which he proposes to move, and shall furnish, in regard to such object or objects, any information which the Collector may require.	
		Section 18 (3) ..	If the Collector refuses to grant such permission, the applicant may appeal to the Commissioner, whose decision shall be final.	
		Section 19 (1) ..	If the Central Government apprehends that any object mentioned in a notification issued under section 18, sub-section (1) is in danger of being destroyed, removed, injured or allowed to fall into decay, or is of opinion that it should be preserved in the interests of archaeological or historical research, the Central Government may pass order for the compulsory purchase of such object at its market value, and the Collector shall thereupon give notice to the owner of the object to be purchased.	
		Section 20 (2) ..	A copy of the notification shall be affixed in a conspicuous place in or near the area, together with a notice in writing dated and signed by the Collector and stating that any objection to the declaration will be taken into consideration if received by the Central Government on or before a further date to be expressed in the notice, being a date not less than four and not more than five weeks from the date on which the notice is signed.	
		Section 20 (4) ..	No person shall erect any construction or make any excavation for any purpose other than archaeological or historical research within a protected area without the permission of the Collector.	
		Section 20 (5) ..	The Collector shall not grant permission for any such construction or excavation if the Director certifies that the construction or the excavation is likely to hinder archaeological or historical research in the said area or to result in the loss of archaeological or historical material which in the national interest should be preserved :	

		Section 19 (1) ..	In making the reference the Collector shall state, for the information of the Court, in writing under his hand— (*a*) the situation and extent of the land with particulars of any damage caused under section 6 or of restrictions imposed under section 7 ; (*b*) the names of the persons whom he has reason to think interested in such land : (*c*) the amount of compensation awarded under section 12 ; and (*d*) if the objection be to the amount of the compensation, the grounds on which the amount of compensation was determined.
		Section 20 ..	The Court shall thereupon cause a notice specifying the day on which the Court will proceed to determine the objection, and directing their appearance before the Court on that day, to be served on the following persons, namely :— (*c*) if the objection is in regard to the area of the land, the nature of the obstructions or the amount of the compensation, the Collector.
		Section 25 (1) ..	When the applicant has made a claim to compensation, pursuant to any notice given under section 9, the amount awarded to him by the Court shall not exceed the amount so claimed or be less than the amount awarded by the Collector under section 12.
		Section 25 (2) ..	When the applicant has refused to make such claim or has omitted without sufficient reason (to be allowed by the Judge) to make such claim, the amount awarded by the Court shall in no case exceed the amount awarded by the Collector.
		Section 25 (3) ..	When the applicant has omitted for a sufficient reason (to be allowed by the Judge) to make such claim, the amount awarded to him by the Court shall not be less than, and may exceed, the amount awarded by the Collector.
		Section 27 (2) ..	When the award of the Collector is not upheld, the costs shall ordinarily be paid by the Collector, unless the Court is of opinion that the claim of the applicant was so extravagant or that he was so negligent in putting his case before the Collector that some deduction from his costs should be made or that he should pay a part of the Collector's costs.
		Section 28 ..	If the sum which, in the opinion of the Court, the Collector ought to have awarded as compensation is in excess of the sum which the Collector did award as compensation, the Court may direct that the Collector shall pay interest on such excess at the rate of six per centum per annum from the date of his award to the date of payment of such excess into Court.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
41—*contd.*	The Works of Defence Act, 1903—*contd.*	Section 31 (1) ..	On making an award under section 12, the Collector shall tender payment of the compensation awarded by him to the persons interested entitled thereto according to the award, and shall pay it to them unless prevented by someone or more of the contingencies mentioned in sub-section (2).	
		Section 31 (2) ..	If they do not consent to receive it, or if there is no person competent to alienate the land, or if there is any dispute as to the title to receive the compensation or as to the apportionment of it, the Collector shall deposit the amount of the compensation in the Court to which a reference under section 18 would be submitted : Provided, first, that any person admitted to be interested may receive such payment under protest as to the sufficiency of the amount ; Provided, secondly, that no person who has received the amount otherwise than under protest shall be entitled to make any application under section 18 : Provided, thirdly, that nothing therein contained shall affect the liability of any person, who may receive the whole or any part of any compensation awarded under this Act, to pay the same to the person lawfully entitled thereto.	
		Section 31 (3) ..	Notwithstanding anything in this section, the Collector may with the sanction of the Central Government, instead of awarding a money-compensation in respect of any land, make any arrangement with a person having a limited interest in such land, either by the grant of other lands in exchange, or by the remission of land revenue on the same or on other lands held under the same title, or in such other way as may be equitable having regard to the interests of the parties concerned.	

		Section 31 (4) ..	Nothing in sub-section (3) shall be construed to interfere with or limit the power of the Collector to enter into any arrangement with any person interested in the land and competent to contract in respect thereof.	
		Section 32 (2) ..	In all cases of moneys deposited to which this section applies, the Court shall order the cost of the following matters, including therein all reasonable charges and expenses incident thereto, to be paid by the Collector, namely :— (*a*) the costs of such investments as aforesaid ; (*b*) the costs of the orders for the payment of the interest or other proceeds of the securities in which such moneys are for the time being invested, and for the payment out of Court of the principal of such moneys and the costs of all proceedings relating thereto, except such as may be occasioned by litigation between adverse claimants.	
		Section 35 (1) ..	Service of any notice under this Act shall be made by delivering or tendering a copy thereof signed, in the case of a notice under section 3, sub-section (2), by the officer therein mentioned, and, in the case of any other notice, by or by order of the Collector or the Judge.	
		Section 35 (3) ..	When such person cannot be found, the service may be made on any adult male member of his family residing with him; and, if no such adult male member can be found, the notice may be served by fixing the copy on the outer door of the house in which the person therein named ordinarily dwells or carries on business, or by fixing a copy thereof in some conspicuous place in the office of the officer aforesaid or of the Collector or in the court house and also in some conspicuous part of the land upon which restrictions are to be imposed : Provided that, if the Collector or Judge so directs, a notice may be sent by post in a letter addressed to the person named therein at his last known residence, address or place of business and service of it may be proved by the production of the addressee's receipt.	
		Section 37 ..	If the Collector or officer authorised under section 6 is opposed or impeded in doing anything directed or permitted by this Act, he shall, if a Magistrate, enforce compliance, and, if not a Magistrate, he shall apply to a Magistrate * * * and such Magistrate shall enforce compliance.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
42—*concld.*	The Works of Defence Act, 1903—*concld.*	Section 38 (2) ..	Whenever the Central Government withdraws the imposition of any declared restrictions, the Collector shall determine the amount of compensation due for the damage suffered by the owner in consequence of the notice or of any proceedings thereunder, and shall pay such amount to the person interested, together with all costs reasonably incurred by him in the prosecution of the proceedings under this Act relating to the said restrictions.	
		Section 39 (1) ..	The provisions of this Act shall not be put in force for the purpose of demolishing or acquiring the right to demolish a part only of any house, manufactory or other building, if the owner desires that the whole of such house, manufactory or building shall be demolished or that the right to demolsih the whole of it shall be acquired : Provided that the owner may at any time before the Collector has made his award under section 12, by notice in writing, withdraw or modify his expressed desire that the whole of such house, manufactory or building shall be demolished, or that the right to demolish the whole of it shall be acquired: Provided, also that, if any question shall arise as to whether any building or other construction proposed to be demolished under this Act does or does not form part of a house, manufactory or building within the meaning of this section, the Collector shall refer the determination of such question to the Court, and such building or other construction shall not be demolished or other construction shall not be demolished until after the question has been determined. In deciding on such a reference the Court shall have regard to the question whether the building or other construction proposed to be demolished is reasonably required for the full and unimpaired use of the house, manufactory or building.	

		Section 39 (2) ..	If, in the case of any claim of the kind referred to in section 23, sub-section (1), clause (c), by a person interested, on account of ceasing to be able to use the land, upon the use and enjoyment of which restrictions are to be imposed, conjointly with his other land, the Central Government is of opinion that the claim is unreasonable or excessive, it may, at any time before the Collector has made his award, order the imposition of restrictions upon the whole of the land of which the land upon the use and enjoyment of which it was first sought to impose restrictions forms a part.
		Section 39 (3) ..	In the case provided for by sub-section (2) no fresh declaration or other proceeding under sections 3 to 10 shall be necessary; but the Collector shall without delay furnish a copy of the order of the Central Government to the person interested, and shall thereafter proceed to make his award under section 12.
43	The Foreign Marriage Act, 1903	Section 2 (1) ..	Notice in writing of a marriage which it is intended to solemnize under the Foreign Marriage Act, 1892, may be given by one of the parties intending such marriage, to— (a) a District Magistrate, or Political Agent, where neither of such parties is a person professing the Christian Religion : Provided that the party giving such notice as aforesaid shall have had his usual place of abode for not less than three consecutive weeks immediately preceding the giving of notice within the local limits of the area for which the Marriage Registrar, Magistrate or Political Agent to whom the notice is given, is appointed.
44	The Extradition Act, 1903	Section 7 (1) ..	Where an extradition offence has been committed or is supposed to have been committed by a person, in the territories of any State not being a foreign State and such person escapes into or is in Pakistan and the Political Agent in or for such State issues a warrant, addressed to the District Magistrate of any district in which such person is believed to be, for his arrest and delivery at a place and to a person or authority indicated in the warrant, such Magistrate shall act in pursuance of such warrant and may give directions accordingly.
		Section 7 (2) ..	A warrant issued as mentioned in sub-section (1) shall be executed in the manner provided by the law for the time being in force with reference to the execution of warrants, and the accused person, when arrested, shall be produced before the District Magistrate who shall record any statement made by him; such accused person shall then, unless released in accordance with the provisions of this Act, be forwarded to the place and delivered to the person or authority indicated in the warrant.
		Section 7 (3) ..	The provisions of the Code of Criminal Procedure for the time being in force in relation to proclamation and attachment in the case of persons absconding shall, with any necessary modifications, apply where any warrant has been received by a District Magistrate under this section as if the warrant had been issued by himself.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
44—*concld.*	The Extradition Act, 1903—*concld.*	Section 8 (1) ..	Where a Political Agent has directed by endorsement on any such warrant that the person for whose arrest it is issued may be released on executing a bond with sufficient sureties for his attendance before a person or authority indicated in this behalf in the warrant at a specified time and place the Magistrate to whom the warrant is, addressed shall on such security being given release such person from custody.	
		Section 8 (2) ..	When security is taken under this section, the Magistrate shall certify the fact to the Political Agent who issued the warrant, and shall retain the bond.	
		Section 8 (3) ..	If the person bound by any such bond does not appear at the time and place specified, the Magistrate may, on being satisfied as to his default, issue a warrant directing that he be re-arrested and handed over to any person authorised by the Political Agent to take him into custody.	
		Section 8-A (2) ..	In the case of any bond executed in pursuance of this section, the District Magistrate may exercise the powers conferred by the Code of Criminal Procedure for the time being in force in relation to taking a deposit in lieu of the execution of a bond and with respect to the forfeiture of bonds and the discharge of sureties.	
		Section 10 (1) ..	If it appears to any Magistrate of the First Class or any Magistrate empowered by the Central Government in this behalf that a person within the local limits of his jurisdiction is accused or suspected of having committed an offence in any state not being a Foreign State and that such person may lawfully be surrendered to such State, or that a warrant may be issued for his arrest under section 7, the Magistrate may, if he thinks fit issue a warrant for the arrest of such person on such information or complaint and on such evidence as would, in his opinion, justify the issue of a warrant if the offence had been committed within the local limits of his jurisdiction.	

45	The Ancient Monuments Preservation Act, 1904.	Section 2A (2) ..	Where such permission is refused without reasonable cause the matter shall be referred by the Director or Officer authorised by him as aforesaid to the Collector who after such enquiry as he thinks fit may authorise the entry and inspection on such conditions as he may consider necessary.	
		Section 2A (3) ..	Where the place or area to be inspected is closed and the whereabouts of the person or body having the right to grant permission as aforesaid are not known an application in this behalf shall be made by the Director or officer aforesaid to the Collector, who, after such enquiry as he thinks fit, and after publication of a notice in the prescribed manner requiring such person or body to open the place or area within such time as may be stated in the notice, may, upon such conditions as he may consider necessary, authorise the Director or officer aforesaid to open and enter the place or area and inspect the same.	
		Section 7 (1) ..	If the Collector apprehends that the owner or occupier of a monument intends to destroy, remove, alter, deface, or imperil the monument or to build on or near the site thereof in contravention of the terms of an agreement for its preservation under section 5, the Collector may make an order prohibiting any such contravention of the agreement.	
		Section 7 (2) ..	If an owner or other person who is bound by an agreement for the preservation or maintenance of a monument under section 5 refuses to do any act which is in the opinion of the Collector necessary to such preservation or maintenance, or neglects to do any such act within such reasonable time as may be fixed by the Collector, the Collector may authorize any person to do any such act, and the expense of doing any such act or such portion of the expense as the owner may be liable to pay under the agreement may be recovered from the owner as if it were an arrear of land revenue.	
		Section 10 (3) ..	In any case other than the cases referred to in sub-section (2) the said powers of compulsory purchase shall not be exercised unless the owner or other person competent to enter into an agreement under section 5 has failed within such reasonable period as the Collector may fix in this behalf, to enter into an agreement proposed to him under the said section or has terminated or given notice of his intention to terminate such an agreement.	
		Section 18 (1) ..	If the Central Government considers that any sculptures, carvings, images, bas-reliefs, inscriptions or other like objects ought not to be moved from the place where they are without the sanction of the Central Government, the Central Government may, by notification in the official Gazette, direct that any such object or any class of such objects shall not be moved unless with the written permission of the Collector.	

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45—*contd.*	The Ancient Monuments Preservation Act, 1904—*contd.*	Section 18 (2) ..	A person applying for the permission mentioned in sub-section (1) shall specify the object or objects which he proposes to move, and shall furnish, in regard to such object or objects, any information which the Collector may require.	
		Section 18 (3) ..	If the Collector refuses to grant such permission, the applicant may appeal to the Commissioner, whose decision shall be final.	
		Section 19 (1) ..	If the Central Government apprehends that any object mentioned in a notification issued under section 18, sub-section (1) is in danger of being destroyed, removed, injured or allowed to fall into decay, or is of opinion that it should be preserved in the interests of archaeological or historical research, the Central Government may pass order for the compulsory purchase of such object at its market value, and the Collector shall thereupon give notice to the owner of the object to be purchased.	
		Section 20 (2) ..	A copy of the notification shall be affixed in a conspicuous place in or near the area, together with a notice in writing dated and signed by the Collector and stating that any objection to the declaration will be taken into consideration if received by the Central Government on or before a further date to be expressed in the notice, being a date not less than four and not more than five weeks from the date on which the notice is signed.	
		Section 20 (4) ..	No person shall erect any construction or make any excavation for any purpose other than archaeological or historical research within a protected area without the permission of the Collector.	
		Section 20 (5) ..	The Collector shall not grant permission for any such construction or excavation if the Director certifies that the construction or the excavation is likely to hinder archaeological or historical research in the said area or to result in the loss of archaeological or historical material which in the national interest should be preserved :	

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			Provided that the Collector shall not refuse permission if he is satisfied that the construction not being a dwelling house is required for purposes subservient to agriculture, or that the excavation is necessary for the proper cultivation of the land within the said area.	
		Section 20 (7) ..	Any person whose application as aforesaid has been rejected and who claims to have suffered loss by reason of such rejection may, by an application to the Collector, claim, compensation and the Collector shall assess and grant the same :	
			Provided that compensation shall be granted so as to exceed the difference between the market-value of the land at the time of the claim having regard to the restrictions imposed on its use under this section and the market-value immediately before the imposition of the same.	
		Section 20 (9 ..	The Collector may direct that any construction erected without permission after the publication of a notification under sub-section (1) shall be removed within such period as he may fix and if the owner does not comply with the order the Collector may cause the building to be removed and may recover from the owner the cost of removal as arrears of land-revenue.	
		Section 21 (1) ..	The market-value of any property which Government is empowered to purchase at such value under this Act, or the compensation to be paid by Government in respect of anything done under this Act except the compensation to be paid by Government under sub-section (7) of section 20, shall, where any dispute arises in respect of such market-value of compensation, be ascertained in the manner provided by the Land Acquisition Act, 1894, section 3, 8 to 34, 45 to 47, 51 and 52, so far as they can be made applicable :	
			Provided that when making an inquiry under the said Land Acquisition Act., 1894, the Collector shall be assisted by two assessors, one of whom shall be a competent person nominated by the Collector, and one person nominated by the owner or, in case the owner fails to nominate an assessor within such reasonable time as may be fixed by the Collector in this behalf, by the Collector	
46	The Code of Civil Procedure, 1908.	Section 54 ..	Where the decree is for the partition of an undivided estate assessed to the payment of revenue to the state or for the separate possession of a share of such an estate, the partition of the estate or the separation of the share shall be made by the Collector or any gazetted subordinate of the Collector deputed by him in this behalf, in accordance with the law (if any) for the time being in force relating to the partition or the separate possession of shares, of such estates.	

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1	2	3	4	5
46—*contd.*	The Code of Civil Procedure, 1908—*concld.*	Section 70 (2) ..	Any appellate or revisional authority shall not be exercisable by the Court or by any Court in exercise of any appellate or revisional jurisdiction which it has with respect to decrees or orders of the Court.	
		Section 71 ..	In executing a decree transferred to the Collector under section 68 the Collector and his subordinates shall be deemed to be acting judicially.	
		Section 72 (1) ..	Where in any local area in which no declaration under section 68 is in force the property attached consists of land or of a share in land, and the Collector represents to the Court that the public sale of the land or share is objectionable and that satisfaction of the decree may be made within a reasonable period by a temporary alienation of the land or share, the Court may authorise the Collector to provide for such satisfaction in the manner recommended by him instead of proceeding to a sale of the land or share.	
		Section 80 ..	No suit shall be instituted against the State or against a public officer in respect of any act purporting to be done by such public officer in his official capacity, until the expiration of two months next after notice in writing has been delivered to, or left at the office of— (*b*) in the case of a suit against a Provincial Government, a Secretary to that Government or the Collector of the District, and in the case of a public officer, delivered to him or left at his office, stating the cause of action, the name, description and place of residence of the plaintiff and the relief which he claims; and the plaint shall contain a statement that such notice has been delivered or left.	
		Section 93 ..	The powers conferred by section 91 and 92 on the Advocate-General may, be, with the previous sanction of the Provincial Government, exercised also by the Collector or by such officer as the Provincial Government may appoint in this behalf.	

The Code of Civil Procedure, 1908. Order XX Judgment and Decree.	Rule ..	Where the Court passes a decree for the partition of property or for the separate possession of a share therein, then,— (1) if and in so far as the decree relates to an estate assessed to the payment of revenue to the Government, the decree shall declare the rights of the several parties interested in the property, but shall direct such partition or separation to be made by the Collector, or any gazetted subordinate of the Collector deputed by him in this behalf, in accordance with such declaration and with the provisions of section 54.	
The Code of Civil Procedure, 1908. Order XXI Execution of Decree and Orders.	Rule 54 (2) ..	The order shall be proclaimed at some place on or adjacent to such property by beat of drum or other customary mode, and a copy of the order shall be affixed on a conspicuous part of the property and then upon a conspicuous part of the court-house, and also, where the property is land paying revenue to the Government in the office of the Collector of the district in which the land is situate.	
	Rule 70 ..	Nothing in rules 66 to 69 shall be deemed to apply to any case in which the execution of a decree has been transferred to the Collector.	
	Rule 71 ..	Any deficiency of price which may happen on a re-sale by reason of the purchasers default, and all expenses attending such re-sale, shall be certified to the Court or to the Collector or subordinate of the Collector, as the case may be, by the officer or other person holding the sale, and shall at the instance of either the decree-holder or the judgment-debtor, be recoverable from the defaulting purchaser under the provisions relating to the execution of a decree for the payment of money.	
The Code of Civil Procedure, 1908. Order XXXIII Suit by paupers.	Rule 14 ..	Where an order is made under rule 10, rule 11 or rule 11A the Court shall forthwith cause a copy of the decree or order to be forwarded to the Collector, who may, without prejudice to any other mode of recovery, recover the amount of court-fees specified therein from the person or property liable for the payment as if it were an arrear of land revenue.	
The Code of Civil Procedure, 1908. The Third Schedule Execution of Decrees by Collectors.	Rule 1 ..	Where the execution of a decree has been transferred to the Collector under section 68, he may— (*a*) proceed as the Court would proceed when the sale of immovable property is postponed in order to enable the judgment debtor to raise the amount of the decree; or (*b*) raise the amount of the decree by letting in perpetuity or for a term, on payment of a premium, or by mortgaging, the whole or any part of the property ordered to be sold; or	

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1	x	3	4	5
46—*contd.*	The Code of Civil Procedure, 1908. The Third Schedule Execution of Decrees by Colllectors—*contd.*	Rule 2—*concld.* ..	(*c*) sell the property ordered to be sold or so much thereof as may be necessary. Where the execution of a decree, not being a decree ordering the sale of immovable property in pursuance of a contract specifically affecting the same but being a decree for the payment of money in satisfaction of which the Court has ordered the sale of immovable property, has been so transferred, the Collector, if, after such inquiry as he thinks necessary, he has reason to believe that all the liabilities of the judgment-debtor can be discharged without a sale of the whole of his available immovable property, may proceed as hereinafter provided.	
		Rule 3 (1) ..	In any such case as is referred to in paragraph 2, the Collector shall publish a notice, allowing a period of sixty days from the date of its publication for compliance and calling upon— (*a*) every person holding a decree for the payment of money against the judgment-debtor capable of execution by sale of his immovable, property and which such decree-holder desires to have so execute, and every holder of a decree for the payment of money in execution of which proceedings for the sale of such property are pending, to produce before the Collector a copy of the decree, and a certificate from the Court which passed or is executing the same, declaring the amount recoverable thereunder; (*b*) every person having any claim on the said property to submit to the Collector a statement of such claim, and to produce the documents (if any) by which it is evidenced.	
		Rule 3 (2) ..	Such notice shall be published by being affixed on a conspicuous part of the Court-house of the Court which made the original order for sale, and in such other places (if any) as the Collector thinks fit; and where the address of any such decree-holder or claimant is known, a copy of the notice shall be sent to him by post or otherwise.	

		Rule 4 (1)	Upon the expiration of the said period, the Collector shall appoint a day for hearing any representations which the judgment-debtor and the decree-holders or claimants (if any) may desire to make, and for holding such inquiry as he may deem necessary for informing himself as to the nature and extent of such decrees and claims and of the judgment-debtor' immovable property, and may, from time to time, adjourn such hearing and inquiry.	
		Rule 4 (2) ..	Where there is no dispute as to the fact or extent of the liability of the judgment-debtor to any of the decrees or claims of which the Collector is informed, or as to the relative priorities of such decrees or claims, or as the liability of any such property for the satisfaction of such decrees or claims, the Collector shall draw up a statement, specifying the amount to be recovered for the discharge of such decrees, the order in which such decrees and claims are to be satisfied, and the immovable property available for that purpose.	
		Rule 4 (3) ..	Where any such dispute arises, the Collector shall refer the same, with a statement thereof and his own opinion thereon, to the Court which made the original order for sale, and shall, pending the reference, stay proceedings relating to the subject thereof. The Court shall dispose of the dispute if the matter thereof is within its jurisdiction, or transmit the case to a competent Court for disposal, and the final decision shall be communicated to the Collector, who shall then draw up a statement as above provid ed in accordance with such decision.	
		Rule 5 ..	The Collector may, instead of himself issuing the notices and holding the inquiry required by paragraphs 3 and 4 draw up a statement specifying the circumstan es of the judgment-debtor and if his immovable property so far as they are known to the Collector or appear in the records of his office and forward such statement to the District Court, and such Court shall thereupon issue the notices, hold the inquiry and draw up the statement required by paragraphs 3 and 4 and transmit such statement to the Collector.	
		Rule 7 (1) ..	Where the amount to be recovered and the property available have been determined as provided in paragraph 4 or paragraph 5, the Collector may— (*a*) if it appears that the amount cannot be recovered without the sale of the whole of the property available, proceed to sell such property; or	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
46—*contd.*	The Code of Civil Procedure, 1908. The Third Schedule Execution of Decrees by Collector—*contd.*	Rule 7 (1)—*concld.* ..	(*b*) if it appears that the amount with interest (if any) in accordance with the decree, and, when not decreed, with interest (if any) at such rate as he thinks reasonable, may be recovered without such sale raise such amount and interest (notwithstanding the original order for sale)— (*i*) by letting in perpetuity or for a term, on payment of a premium the whole or any part of the said property: or (*ii*) by mortgaging the whole or any part of such property; or (*iii*) by selling part of such property; or (*iv*) by letting on farm, or managing by himself for another the whole or any part of such property for any term not exceeding twenty years from the date of the order of sale; or (*v*) partly by one of such modes, and partly by another or others of such modes.	
		Rule 7 (2) ..	For the purpose of managing the whole or any part of such property the Collector may exercise all the powers of its owner.	
		Rule 7 (3) ..	For the purpose of improving the saleable value of the property available or any part thereof, or rendering it more suitable for letting or managing, or for preserving the property from sale in satisfaction of an incumbrance, the Collector may discharge the claim of any incumbrancer which has become payable or compound the claim of any incumbrancer whether it has become payable or not, and, for the purpose of providing funds to effect such discharge or composition, may mortgage, let or sell any portion of the property which he deems sufficient. If any dispute arises as to the amount due on any incumbrance with which the Collector propose to deal under this clause, he may institute a suit in the proper Court either in his own name or the name of the judgment-debtor, to have an account taken, or he may agree to refer such dispute to the decision of two arbitrators, one to be chosen by each party, or of an umpire to be named by such arbitrators.	

		Rule 7(4) ..	In proceeding under this paragraph the Collector shall be subject to such rules consistent with this Act as may, from time to time, be made in this behalf by the Provincial Government.	
		Rule 8 ..	Where a on the expiration of the letting or management under paragraph 7, the amount to be recovered has not been realized, the Collector shall notify the fact in writing to the judgment-debtor or his representative in interest, stating at the same time that, if the balance necessary to make up the said amount is not paid to the Collector within six weeks from the date of such notice, he will proceed to sell the whole or a sufficient part of the said property; and, if on the expiration of the said six weeks the said balance is not so paid, the Collector shall sell such property or part accordingly.	
		Rule 9 (1) ..	The Collector shall, from time to time, render to the Court which made the original order for sale an account of all monies which come to his hands and of all charges incurred by him in the exercise and performance of the powers and duties conferred and imposed on him under the provision of this schedule, and shall hold the balance at the disposal of the Court.	
		Rule 9 (2) ..	Such charges shall include all debts and liabilities from time to time due to the state in respect of the property or any part thereof, the rent (if any) from time to time due to a superior holder in respect of such property or part, and, if the Collector so directs, the expenses of any witnesses summoned by him.	
		Rule 10 ..	Where the Collector sells any property under this schedule, he shall put it up to public auction in one or more lots, as he thinks fit, and may— (*a*) fix a reasonable reserved price for each lot; (*b*) adjourn the sale for a reasonable time whenever, for reasons to be recorded, he deems to adjournment necessary for the purpose of obtaining a fair price for the property; (*c*) buy in the property offered for sale, and re-sell the same by public auction or private contract, as he thinks fit.	
		Rule 11 (1) ..	So long as the Collector can exercise or perform in respect of the judgment-debtor's immovable property or any part thereof any of the powers or duties conferred or imposed on him by paragraphs 1 to 10, the judgment-debtor or his representative in interest shall be incompetent to mortgage, charge, lease or alienate such property or part except with the written perm is sion of the Collector, nor shall any Civil Court issue any process against such property or part in execution of a decree for the payment of money.	
		Rule 11 (2) ..	During the same period no Civil Court shall issue any process of execution either against the judgment-debtor or his property in respect of any decree for the satisfaction whereof provision has been made by the Collector under paragraph 7.	

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1	2	3	4	5
46	The Code of Civil Procedure, 1908. The third Schedule Execution of Decrees by Collector—*concld.*	Rule 12 ..	Where the property of which the sale has been ordered is situate in more districts than one, the powers and duties conferred and imposed on the Collector by paragraphs 1 to 10 shall be exercised and performed by such one of the Collectors of the said districts as the Provincial Government may by general rule or a special order direct.	
		Rule 13 ..	In exercising the power conferred on him by paragraphs 1 to 10 the Collector shall have the powers of a Civil Court to compel the attendance of parties and witnesses and the production of documents.	
47	The Criminal Law Amendment Act 1908.	Section 17 (A) (2) ..	The District Magistrate, or any officer authorised in this behalf in writing by the District Magistrate as the case may be, may thereupon take possession of the notified place and evict therefrom any person found therein, and shall forthwith make a report of the taking possession to the Provincial Government. Provided that where such place contains any apartment occupied by women or children, reasonable time and facilities shall be afforded for their withdrawal with the least possible inconvenience.	
		Section 17B (1) ..	The District Magistrate or officer taking possession of a notified place shall also take possession of all movable property found therein, and shall make a list thereof in the presence of two respectable witnesses.	
		Section 17 B (2) ..	If, in the opinion of the District Magistrate, any articles specified in the list are or may be used for the purposes of the unlawful association, he may proceed subject to the provisions hereafter contained in this section to order such articles to be forfeited to the State.	
		Section 17 B (3) ..	All other articles specified in the list shall be delivered to the person whom he considers to be entitled to possession thereof, or, if no such person is found, shall be disposed of in such manner as the District Magistrate may direct.	
		Section 17 B (4) ..	The District Magistrate shall publish, as nearly as may be in the manner provided in section 87 of the Code of Criminal Procedure, 1898,	

			for the publication of a proclamation, a notice specifying the articles which it is proposed to forfeit and calling upon any person claiming that any article is not liable to forfeiture to submit in writing within fifteen days any representation he desires to make against the forfeiture of the article.	
		Section 17B (5) ..	Where any such representation is accepted by the District Magistrate he shall deal with the article concerned in accordance with the provisions of sub-section (3).	
		Section 17B (8) ..	If the article seized is livestock or is of a perishable nature, the District Magistrate may, if he thinks it expedient, order the immediate sale thereof, and the proceeds of the sale shall be disposed of in the manner herein provided for the disposal of other articles.	
		Section 17 C ..	Any person who enters or remains upon a notified place without the permission of the District Magistrate, or of an officer authorised by him in this be half, shall be deemed to commit criminal trespass.	
48	The Dourine Act, 1910 ..	Section 10 (2) ..	If in the opinion of the veterinary practitioner, the amount which should be paid as such compensation exceeds two hundred and fifty rupees, he shall report accordingly to the Collector, who shall decide the amount to be so paid.	
	The Electricity Act, 1910 ..	Section 12 (2) ..	Nothing contained in sub-section (1) shall be deemed to authorise or empower a licensee, without the consent of the local authority or of the owner and occupier concerned, as the case may be, to lay down or place any electric supply line or other work in, through or against any building, or on over or under any land not dedicated to public use whereon, whereover or whereunder any electric supply-line or work has not already been lawfully laid down or placed by such licensee:	
			Provided that any support of an aerial line or any stay or strut required for the sole purpose of securing in position any support of an aerial line may be fixed on any building or land or, having been so fixed, may be altered, notwithstanding the objection of the owner or occupier of such building or land, if the District Magistrate by order in writing so direct;	
			Provided, also, that, if at any time the owner or occupier of any building or land on which any such support, stay or strut has been fixed shows sufficient cause, the District Magistrate may by order in writing direct any such support, stay or strut to be removed or altered.	
		Section 12 (3) ..	When making an order under sub-section (2), the District Magistrate shall fix the amount of compensation or of annual rent, or of both, which should in his opinion be paid by the licensee to the owner or occupier.	

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1	2	3	4	5
49	Electricty Act, 1910—*concld.*			
		Section 20 (2) ..	A licensee or any person authorised as aforesaid may also, in pursuance of a special order in this behalf made by the District Magistrate and after giving not less than twenty-four hours notice in writting to the occupier enter any premises to which energy is or has been supplied, or is to be supplied, by him for the purpose of examining and testing the electric wires, fittings, works and apparatus for the use of energy belonging to the consumer.	
		Section 30 (1) ..	No person, other than a licensee duly authorised under the terms of his license, shall transmit or use energy at a rate exceeding two hundred and fifty watts,— (*a*) in any street, or (*b*) in any place,— (*i*) in which one hundred or more persons are likely ordinarily to be assembled, or (*ii*) which is a factory within the meaning of the Indian Factories Act, 1911, or (*iii*) which is a mine within the meaning of the Indian Mines Act, 1901, or (*iv*) to which the Provincial Government, by general or special order, declares the provision of this sub-section to apply, without giving not less than seven clear days notice in writting of his intention to the District Magistrate, and complying with such of the provisions of Part IV, and of the rules made thereunder, as may be applicable.	

			Provided that nothing in this section shall apply to energy used for the public carriage of passengers, animals or goods on, or for the lighting or ventilation of the rolling-stock of any railway or tramway subject to the Provision of the Railways Act, 1890.	
50	The Prevention of Seditious Meetings Act, 1911.	Section 4 (1) ..	No public meeting for the furtherance or discussion of any subject likely to cause disturbance or public excitement, or for the exhibition or distribution of any writing or printed matter relating to any such subject, shall be held in any proclaimed area— (a) unless written notice of the intention to hold such meeting and of the time and place of such meeting has been given to the District Magistrate, at least three days previously; or (b) unless permission to hold such meeting has been obtained in writing from the District Magistrate.	
		Section 4 (2) ..	The District Magistrate or any Magistrate of the first class authorised by the District Magistrate in this behalf may, by order in writing, depute one or more Police Officers, not being below the rank of head constable, or other persons, to attend any such meeting for the purpose of causing a report to be taken of the proceedings.	
		Section 5 ..	The District Magistrate may at any time by order in writing, of which public notice shall forthwith be given, prohibit any public meeting in a proclaimed area, if, in his opinion, such meeting is likely to promote sedition or disaffection or to cause a disturbance of the public tranquillity.	
		Section 8 ..	No Court inferior to that of a Magistrate of the first class or Sub-Divisional Magistrate shall try any offence against this Act.	
51	The Co-operative Societies Act, 1912.	Section 17 (3) ..	The Registrar, the Collector or any person authorised by general or a special order in writing in this behalf by the Registrar shall at all times have access to all the books, accounts, papers and securities of a society, and every officer of the society shall furnish such information in regard to the transactions and working of the society as the person making such inspection may require.	
		Section 35 (1) ...	The registrar may of his own motion, and shall on the request of the Collector, or on the application of a majority or the committee, or of not less than one-third of the members hold an inquiry or direct some person authorised by him by order in writing in this behalf to hold an inquiry into the constitution, working and financial condition of a registered society.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
52	The Lunacy Act, 1912	Section 5 (1) ..	An application for a reception order shall be made by petition accompanied by a statement of particulars to the Magistrate within the local limits of whose jurisdiction the alleged lunatic ordinarily resides, shall be in the form prescribed and shall be supported by two medical certificates on separate sheets of papers, one of which certificates shall be from a medical officer.	
		Section 7 ..	(1) Upon the presentation of the petition the Magistrate shall consider the allegations in the petition and the evidence of lunacy appearing by the medical certificates. (2) If he considers that there are grounds for proceeding further, he shall personally examine the alleged lunatic unless for reasons to be recorded in writing he thinks it unnecessary or inexpedient so to do. (3) If he is satisfied that a reception order may properly be made forthwith, he may make the same accordingly. (4) If he is not so satisfied, he shall fix a date (notice whereof shall be given to the petitioner and to any other person to whom in the opinion of the Magistrate notice should be given) for the consideration of the petition, and he may make such further or other inquiries of or concerning the alleged lunatic as he thinks fit.	
		Section 8 ..	Upon the presentation of the petition, the Magistrate may make such order as he thinks fit for the suitable custody of the alleged lunatic pending the conclusion of the inquiry.	
		Section 9 ..	The petition shall be considered in private in the presence of the petitioner the alleged lunatic (unless the Magistrate in his discretion otherwise directs), any person appointed by the alleged lunatic to represent him and such other persons as the Magistrate thinks fit.	

		Section 10 (1) ..	At the time appointed for the consideration of the petition, the Magistrate may either make a reception, order or dismiss the petition, or may adjourn the same for further evidence or inquiry, and may make such order as to the payment of the costs of the inquiry by the person upon whose application it was made, or out of the estate of the alleged lunatic if found to be of unsound mind, or otherwise as he thinks fit.	
		Section 10 (2) ..	If the petition is dismissed, the Magistrate shall record in writing his reasons for dismissing the same, and shall deliver or cause to be delivered to the petitioner a copy of such order.	
		Section 11 ..	No reception order shall be made under section 7 or section 10, save in the case of a lunatic who is dangerous and unfit to be at large, unless— (a) the Magistrate is satisfied that the person in charge of an asylum is willing to receive the lunatic, and (b) the petitioner or some other person engages in writing to the satisfaction of the Magistrate to pay the cost of maintenance of the lunatic.	
		Section 11A (1) ..	The Magistrate may, subject to the provisions of this Section, by order in writing (hereinafter referred to as an order of substitution) transfer the duties and responsibilities under this Act of the person on whose petition a reception order has been made to any other person who is willing to undertake the same, and such other person shall thereupon be deemed for the purposes of this Act to be the person on whose petition the reception order was made, and all references in this Act to such last mentioned person shall be construed accordingly. Provided that no such order or substitution shall release the person upon whose petition the reception order was made or, if he is dead, his legal representative from any liability incurred before the order of substitution was made.	
		Section 11A (2) ..	Before making any order of substitution, the Magistrate shall send a notice to the person upon whose petition the reception order was made, if he is alive, and to any relative of the lunatic to whom, in the opinion of the Magistrate, notice should be given; the notice shall specify the name of the person in whose favour it is proposed to make such order and the date, which shall be not less than twenty days from the sending of the notice, upon which any objection to the making of the order will be considered.	

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52—*contd.*	The Lunacy Act, 1912—*contd.*	Section 11A (3) ..	On such date or any subsequent date to which the proceedings may be adjourned, the Magistrate shall consider any objection made by any person to whom notice has been sent, or by any other relative of the lunatic and shall receive all such evidence as may be produced by or on behalf of any of such persons and such further evidence, if any, as the Magistrate thinks necessary, and may thereafter make or refrain from making an order of substitution; Provided that, if the person on whose petition the reception order was made is dead and any other person is willing and, in the opinion of the Magistrate, fitted to undertake the duties and reponsibilites under this Act of such first mentioned person, the Magistrate shall make such an order.	
		Section 11 A (4) ..	If in proceedings under this section any question arises as to the person to whom the duties and responsibilities under this Act of a person upon whose petition a reception order has been made shall be entrusted, the Magistrate shall give preference to the person who is the nearest relative of the lunatic, unless, for reasons to be recorded in writing, the Magistrate considers that such preference would not be in the interests of the lunatic.	
		Section 11A (5) ..	The Magistrate may make such order for the payment of the costs of an inquiry under this section by any person who is a party thereto or out of the estate of the lunatic, as he thinks fit.	
		Section 13 (1) ..	Every officer in charge of a police station may arrest or cause to be arrested all persons found wandering at large within the limits of his station whom he has reason to believe to be lunatics, and shall arrest or cause to be arrested all persons within the limits of his station whom he has reason to believe to be dangerous by reason of lunacy. Any person so arrested shall be taken forthwith before the Magistrate.	
		Section 13 (2) ..	Every officer in charge of a police station who has reason to believe that any person within the limits of his station is deemed to be a lunatic and is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the charge of him, shall immediately report the fact to the Magistrate.	

		Section 14 ..	Whenever any person is brought before a Magistrate under the provisions of sub-section (1) of section 13, the Magistrate shall examine such person, and if he thinks that there are grounds for proceeding further, shall cause him to be examined by a medical officer, and may make such other inquiries as he thinks fit; and if the Magistrate is satisfied that such person is a lunatic and a proper person to be detained, he may, if the medical officer who has examined such person gives a medical certificate with regard to such person, make a reception order for the admission of such lunatic into an asylum: Provided that, if any friend or relative desires that the lunatic be sent to a licensed asylum and engages in writting to the satisfaction of the Magistrate to pay the cost of maintenance of the lunatic in such asylum, the Magistrate shall, if the person in charge of such asylum consents, make a reception order for the admission of the lunatic into the licensed asylum mentioned in the engagement; Provided further that if any friend or relative of the lunatic enters into a bond with or without sureties for such sum of money as the Magistrate thinks fit, conditioned that such lunatic shall be properly taken care of, and shall be prevented from doing injury to himself or to other, the Magistrate, instead of making a reception order, may, if he thinks fit, make him over to the care of such friend or relative.	
		Section 15 (1) ..	If it appears to the Magistrate, on the report of a police officer or the information of any other person, that any person within the limits of his jurisdiction deemed to be a lunatic is not under proper care and control or is cruelly treated or neglected by any relative or other person having the charge of him, the Magistrate may cause the alleged lunatic to be produced before him, and summon such relative or other person as has or ought to have the charge of him.	
		Section 15 (2) ..	If such relative or other person is legally bound to maintain the alleged lunatic being properly cared for and treated, and, if such relative or other person wilfully neglects to comply with the said order the Magistrate may sentence him to imprisonment for a term which may extend to one month.	
		Section 15 (3) ..	If there is no person legally bound to maintain the alleged lunatic, or if the Magistrate thinks fit so to do, he may proceed as prescribed in section 14, and upon being satisfied in manner aforesaid that the person deemed to be a lunatic is a lunatic and a proper person to be detained under care and treatment may, if a medical officer gives a medical certificate with regard to such lunatic, make a reception order for the admission of such lunatic into an asylum.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
52—*contd.*	The Lunacy Act, 1912—*contd.*	Section 16 (1) ..	When any person alleged to be a lunatic is brought before a Magistrate under the provisions of section 13 or section 15, the Magistrate may, by an order in writing, authorise the detention of the alleged lunatic in suitable custody for such time not exceeding ten days as may be in his opinion, necessary to enable the medical officer to determine whether such alleged lunatic is a person in respect of whom a medical certificate may be properly given.	
		Section 16 (2) ..	The Magistrate may, from time to time, for the same purpose by order in writing, authorise such further detention of the alleged lunatic for periods not exceeding ten days at a time as he thinks necessary; Provided that no person shall be detained in accordance with the provisions of this section for a total period exceeding thirty days from the date on which he was first brought before the Magistrate.	
		Section 22 ..	Subject to the provisions of section 85, no Magistrate shall make a reception order for the admission of any lunatic into any Government asylum outside the province in which the Magistrate exercises jurisdiction.	
		Section 23 ..	When any reception order has been made under sections 7, 10, 14 or 15, the Magistrate may, for reasons to be recorded in writing, direct that the lunatic, pending his removal to an asylum, be detained in suitable custody in such place as the Magistrate thinks fit.	
		Section 33-A (2) ..	No order under sub-section (1) for the temporary release of a lunatic detained under section 7 or 10 shall be passed except on an application of the petitioner on whose petition such lunatic was detained or without the consent in writing of such petitioner: Provided that, if in any such case, it appears to the person incharge of the asylum that such petitioner refuses, without sufficient reasons, to accord such consent, or is dead, he shall refer the application made to him under sub-section (1) to the Magistrate who would have such jurisdiction to detain such lunatic under section 7 or 10 and such Magistrate may, after making such enquiry as he thinks fit, order the temporary release of such lunatic for the period specified in sub-section (1).	

		Section 33-A (3) ..	Any order made for the release of a lunatic under sub-section (1) may, on the application of any relative or friend, at any time during the period of his release, be set aside, or varied by the Magistrate who would have jurisdiction to detain such lunatic in any asylum under section 7, 10, 14 or 15 on any ground other than that the lunatic was not in a state of mind fit to be released at the time the order for his release was made under sub-section (1). If the order of release is so set aside, the lunatic shall be re-admitted and detained in the asylum.	
		Section 33-A (4) ..	If a lunatic released under sub-section (1) or (2) is, at any time during the period of his release, found to be unmanageable or dangerous and unfit to be at large, the person who applied for his release shall inform the Magistrate who would have jurisdiction to detain the lunatic under section 7 or section 10 and shall take the lunatic to the asylum, and such lunatic shall thereupon be re-admitted and detained in the asylum.	
		Section 63 (1) ..	Application for such inquisition may be made by any relative of the alleged lunatic or by any public Curator appointed under the Succession (Property Protection) Act, 1841 (hereinafter referred to as the Curator) or by the Government Pleader, as defined in the Code of Civil Procedure, 1908, or if the property of the alleged lunatic consists in whole or in part of land or any interest in land, by the Collector of the district in which it is situate.	
		Section 63 (2) ..	If the property or any part thereof is of such a description that it would by the law in force in any Province where such property is situate subject to the proprietor, if disqualified, to the jurisdiction of the Court of Wards, the application may be made to the Collector on behalf of the Court of Wards.	
		Section 69 (1) ..	If the estate of a lunatic so found consists in whole or in part of land or any interest in land, but is not of such a nature that it would subject the proprietor, if disqualified, to the jurisdiction or the Court of Wards, the District Court may direct the Collector to take charge of the person and estate of the lunatic : Provided that no such order shall be made without the consent of the Collector previously obtained.	
		Section 69 (2) ..	The Collector shall thereupon appoint a manager of the estate, and may appoint a guardian of the person of the lunatic.	

...ria No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
52	Th Lunacy Act, 1912—*concld.*	Section 71 (2) ..	Any person who has been appointed by the District Court or Collector to manage the estate of a lunatic shall, if so required, enter into a bond in such form and with such sureties as to the Court or the Collector, as the case may be, may deem fit, engaging duly to account for what he may receive in respect of the property of the lunatic.	
		Section 72 ..	The legal heir of a lunatic shall not be appointed to be the guardian of the person of such lunatic unless the Court or the Collector, as the case may be, for reasons to be recorded in writing, considers that such an appointment is for the benefit of the lunatic.	
		Section 73 ..	A guardian of the person of a lunatic or a manager of his estate appointed under this Chapter shall be paid such allowance, if any, as the court or the Collector, as the case may be, thinks fit for his care and pains in the execution of his duties.	
		Section 74 (2) ..	When a distinct guardian is appointed, the manager shall pay to the guardian such allowance as may be fixed by the District Court or the Collector, as the case may be, for the maintenance of the lunatic and such members of his family as are dependent on him for their maintenance.	
		Section 76 (1) ..	Every person appointed by the District Court or by the Collector to be manager of the estate of a lunatic shall, within six months from the date of his appointment, deliver in Court or to the Collector, as the case may be, an inventory of the immovable property belonging to the lunatic and of all such money, or other immovable property, as he may receive on account of the estate, together with a statement of all debts due by or to the same.	
		Section 76 (2) ..	Every such manager shall also furnish to the Court or to the Collector annually, within three months of the close of the year of the era current in the district, an account of the property in his charge, exhibiting the sums received and disbursed on account of the estate and the balance remaining in his hands.	

		Section 77 ..	If any relative of the lunatic, or the Collector, by petition to the court impugns the accuracy of the said inventory and statement or of any annual account, the Court may summon the manager and inquire summarily into the matter and make such order thereon as it thinks fit; or the Court, at its discretion, may refer any such petition to any subordinate Court or to the Collector if the manager was appointed by the Collector.	
		Section 78 ..	All sums received by a manager on account of any estate in excess of what may be required for the current expenses of the lunatic or of the estate shall be paid into the public treasury on account of the estate and shall be invested from time to time in any of the securities specified in section 20 of the Trusts Act, 1882, unless the Court or the Collector, as the case may be, for reasons to be recorded in writing, directs that such sums be in the interest of the lunatic otherwise invested or applied.	
		Section 80 (3) ..	The Collector, for any sufficient cause may, remove any manager of the estate of a lunatic or guardian of the person of a lunatic appointed by him, and may appoint any other fit person in place of such manager or guardian and the District Court, on the application of the Collector, may compel any manager removed under this section to make over the property and all accounts in his hands to his successor and to account to such successor for all money received or disbursed by him.	
		Section 85 ..	The Magistrates or Courts exercising jurisdiction in any province may send lunatics or any class of lunatics to any asylum situated in any other province in accordance with any general or special order of the Provincial Government made in that behalf with the consent of the Provincial Government of such other Province.	
		Section 87 ..	Any money in the possession of a lunatic found wandering at large may be applied by the Magistrate towards the payment of the cost of maintenance of the lunatic or of any other expenses incurred on his behalf, and any movable property found on the person of the lunatic may be sold by the Magistrate, and the proceeds thereof similarly applied.	
		Section 95 (1) ..	When any sum is payable in respect of pay, pension, gratuity, or other similar allowance to any person by the Central Government or any provincial Government and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the Government officer under whose authority such sum would be payable if the payee were not a lunatic, may pay so much of the said sum as he thinks fit to the person having charge of the lunatic, and may pay the surplus, if any, or such part thereof, as he thinks fit for the maintenance of such members of the lunatic's family as are dependent on him for maintenance.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
53	The North-West Frontier Constabulary Act, 1915.	Section 7 (2) ..	The District Constabulary Officer and the Constabulary of a district shall be under the general control and direction of the Deputy Commissioner of the district or, when the Frontier Constabulary is employed under section 3-A in any part of Pakistan other than the North-West Frontier, under the general control and direction of the District Magistrate of the district.	
		Section 7 (3) ..	In exercising authority under sub-section (2), the Deputy Commissioner or District Magistrate shall be governed by such rules and orders as the Central Government may make in this behalf.	
		Section 18 ..	Notwithstanding anything contained in the Code of Criminal Procedure, 1898, the Central Government may declare that the Court of any Deputy Commissioner and no other Court, shall be deemed to be the Court of Session for the disposal of cases, or any class of cases, arising under this Act.	
54	The Inland Mechanically Propelled Vessels Act, 1917.	Section 35 (1) ..	If the Provincial Government has reason to believe that there are grounds for charging any master, engineer or engine-driver, or any person holding a certificate granted under Chapter III, with incompetency or misconduct, otherwise than in the course of an investigation under section 33, it may send a statement of the case of the principal Court of ordinary criminal jurisdiction, or the Court of the District Magistrate, at or nearest to the place at which it may be convenient for the parties and witnesses to attend, and may direct the Court to make an investigation into the charge.	
		Section 35 (2) ..	Before commencing an investigation under sub-section (1), the Court shall cause the person charged to be furnished with a copy of the statement of the case sent by the Provincial Government.	
		Section 36 ..	For the purpose of an investigation under this Chapter into any charge against a master, engineer or engine-driver, or any person holding a certificate granted under Chapter III, the Court may, summon him to appear, and shall give him full opportunity of making a defence, either in person or otherwise.	

Section 37 (1)	..	When, in the opinion of the Court making an investigation under this Chapter, the investigation involves, or appears likely to involve, any question as to the cancelling or a suspension of the certificate of a master, engineer or engine-driver, or any person holding a certificate granted under Chapter III, the Court shall appoint as its assessors, for the purposes of the investigation, two persons having experience in the merchant service or in the navigation of mechanically propelled vessels.
Section 37 (2)	..	In every other investigation, the Court may, if it thinks fit, appoint as its assessor, for the purposes of the investigation, any person conversent with w time affairs or the navigation of mechanically propelled vessels and willing to act as assessor.
Section 38	..	For the purpose of any investigation under this Chapter, the Court making the investigation shall, so far as relates to compelling the attendence and examination of witnesses, and the production of documents and the regulation of the proceedings, have— (*a*) if the Court is a special Court the same powers as are exercisable by the principal Court of ordinary criminal jurisdiction for the place at which the investigation is made ; or (*b*) if the Court is a principal Court of ordinary criminal jurisdiction or the Court of the District Magistrate, the same powers as are exercisable respectively by either Court in the exercise of its criminal jurisdiction.
Section 39 (1)	..	If any Court making an investigation under this Chapter issues a warrant of arrest to compel the attendance of any person whose evidence is in its opinion necessary, it may, for the purpose of effecting the arrest, but subject to any general or special instructions issued by the Provincial Government in this behalf, authorise any officer to enter any vessel.
Section 40	..	Whenever, in the course of an investigation under this Chapter, it appears to the Court making the investigation that any person has committed, within the provinces and the Capital of the Federation, an offence punishable under any law in force in Pakistan, the Court making the investigation may (subject to such rules consistent with this Act as the High Court may, from time to time make in this behalf)— (*a*) cause such person to be arrested; (*b*) commit him or hold him to bail to take his trial before the proper Court; (*c*) bind over any other person to give evidence at such trial; and (*d*) exercise, for the purposes of this section, all the powers of a Magistrate of the first class.

Serial No.	Act/Ordinance	Section		Nature and extent of power	Remarks
1	2	3		4	5
54—*concld.*	The Inland Mechnically Propelled Vessels Act, 1917—*concld.*	Section 41 (1)	..	Whenever, in the course of a trial referred to in section 40, the evidence of any witness is required in relation to the subject matter, any deposition previously made by him in relation to the same subject-matter before any Court making an investigation under this Chapter shall, if authenticated by the signature of the Magistrate or presiding judge of such Court, be admissible in evidence on proof— (*a*) that the witness cannot be found within the jurisdiction of the Court before which the trial is held; and (*b*) that the deposition was made in the presence of the person accused, and that he had an opportunity of cross-examining the witness.	
		Section 41 (2)	..	A certificate signed by such Magistrate or presiding Judge that the deposition was made in the presence of the accused, and that he had an opportunity of cross-examining the witness shall, unless the contrary be proved, be sufficient evidence that it was so made and that the accused had such opportunity.	
		Section 42	..	The Court shall, in the case of every investigation under this Chapter, transmit to the Provincial Government a full report of the conclusions at which it has arrived, together with the evidence recorded and the written opinion of any assessor.	
		Section 43	..	Notwithstanding the appointment under section 37 of an assessor or assessors by a Court making an investigation under this Chapter, the exercise of all powers conferred on such Court by this Act shall rest with the Court alone.	
		Section 45	..	Any certificate granted or any endorsement made under Chapter III may be suspended or cancelled by the Government of the Province in which the certificate was granted or, as the case may be, in respect of which the endorsement was made, in the following cases, namely:— (*a*) if, on any investigation made under this Act, the Court reports that the wreck or abandonment of, or loss or damage to any vessel, or loss of life, has been caused by the wrongful act or default of the holder of such certificate, or that the holder of such certificate is incompetent, or has been guilty of any gross act of drunkenness, tyranny other misconduct; or	

		Section 64 ..	Where the owner or master of a mechanically propelled vessel is convicted of an offence under this Act or any rule made thereunder committed on board, or in relation to, that mechanically propelled vessel, and is sentenced to pay a fine, the Magistrate who passes the sentence may direct the amount of fine to be levied by distress and sale of the mechanically propelled vessel and the tackle, apparel and furniture thereof, or so much thereof as is necessary.
55	The Cinematograph Act, 1918	Section 4 ..	The authority having power to grant licences under this Act (hereinafter referred to as the "Licensing authority") shall be the District Magistrate: Provided that the Provincial Government may, by notification in the official Gazette, constitute for the whole or any part of a Province such other authority as it may specify in the notification to be the licensing authority for the purposes of this Act.
		Section 5 (1) ..	The following authority shall not grant a licence under this Act, unless it is satisfied that— (a) the rules made under the Act have been substantially complied with; and (b) adequate precautions have been taken in the place in respect of which the licence is to be given to provide for the safety of persons attending exhibitions therein.
		Section 5 (2) ..	A condition shall be inserted in every licence that the licensee will not exhibit, or permit to be exhibited, in such place any film other than a film which has been certified as suitable for public exhibition by an authority consituted under section 7, and which when exhibited, displays the prescribed mark of that authority, and has not been altered or tampered within any way since such mark was affixed thereto.
		Section 5 (3) ..	Subject to the foregoing provisions of this section, and to the control of the Provincial Government, the licensing authority may grant licences under this Act to such persons as it think fit, and on such terms and conditions, and subject to such restrictions as it may determine.
		Section 5-A(1) ..	No person shall sell tickets for any performance, except at the booking office of the licensed place, unless he is appointed as an agent for the purpose by the licensee with the previous approval of the District Magistrate and his name and place of business is notified by the licensee outside the booking office of the licensed place.

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
55—*contd.*	The Cinematograph Act, 1918—*contd.*	Section 5-A(2) ..	No person shall sell a ticket for a cinema show at a price higher than that approved by the District Magistrate and notified permanently outside the booking office of the class to which the ticket relates and also outside the place of business of an agent, if any.	
		Section 6 (1) ..	If the owner or person incharge of a cinematograph uses the same or allows it to be used, or if the owner or occupier of any place permits that place to be used, in contravention of the provisions of this Act or the rules made thereunder, or of the conditions and restrictions upon, or subject to which, any licence has been granted under this Act, he shall be punishable with fine which may extend to one thousand rupees and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues, and his licence (if any) shall be liable to be revoked by the licensing authority.	
		Section 6 (2) ..	If any person is convicted of an offence punishable under this Act committed by him in respect of any film, the convicting Court may further direct that the film shall be forefeited to the Provincial Government.	
		Section 7 (5) ..	The District Magistrate may by order suspend the certificate of any film pending the orders of the Central Government, and during such suspension that the film shall be deemed to be an uncertified film in that district.	
		Section 7 (6) ..	A copy of any order of suspension made under sub-section(4) or sub-section (5), together with a statement of the reasons therefor, shall forthwith be forwarded by the authority or the District Magistrate making the same to the Central Government, and the Central Government may either discharge the order, or by notification in the official Gazette, direct that the film shall be deemed to be an uncertified film in the whole of Pakistan, or in a Province, or in such part or parts of a Province as may be specified in the notification.	
		Section 7 (7) ..	(a) The District Magistrate of a district may, on grounds of law and order or public tranquility, by order suspend the certificate of any impending orders of the Provincial Government, and during such suspension the film shall be deemed to be an uncertified film in that district.	

			(b) The District Magistrate shall forward a copy of the order made under clause (a) together with a statement of reasons therefor to the Provincial Government and thereon the Government may either discharge the order or any notification direct that the film shall be deemed to be an uncertified film in the whole or any part of the territory in which this Act is enforced.
56	The Poisons Act, 1919 ..	Section (7) (i) ..	The District Magistrate, and the Sub-Divisional Magistrate, may issue a warrant for the search of any place in which he has reason to believe or to rescue or to suspect that any poison is possessed or sold in contravention of this Act or any rule thereunder, or that any poison liable to confiscation under this Act is kept or cancelled.
57	The Provincial Insolvency Act, 1920.	Section 60 (1) ..	In any local area in which a declaration has been made under section 68 of the Code of Civil Procedure, 1908, and is in force, no sale of immovable property paying revenue to the Government or held or let for agricultural purposes shall be made by the receiver; but, after other property of the insolvent has been realised, the Court shall ascertain— (a) the amount required to satisfy the debts proved under this Act after deducting the monies already received; (b) the immovable property of the insolvent remaining unsold; and (c) the incumberances (if any) existing thereon; and shall forward a statement to the Collector containing the particulars aforesaid; and thereupon the Collector shall proceed to raise the amount so required by the exercise of such of the powers conferred on him by paragraphs 2 to 10 of the Third Schedule to the said Code as he thinks fit, and subject to the provisions of those paragraphs so far as they are applicable, and shall hold at the disposal of the Court all sums that may come to his hands by the exercise of such powers.
		Section 70 ..	(2) Nothing in this Act shall be deemed to effect any provisions of any enactment for the time being in force prohibiting or restricting the execution of decrees or orders against immovable property; and any such provisions shall be deemed to apply to the enforcement of an order of adjudication made under this Act as if it were such a decree or order. (3) In particular and without prejudice to the generality of sub-section (2), when the whole or any part of the estate of an insolvent consists of land, such land shall not be temporarily alienated by the receiver; but after the other property of the insolvent has been realized the Court shall proceed in the manner provided in subsection (i), and the Collector shall thereupon proceed to raise the amount required by means of a temporary alienation in such form and for such period as may be legally permissible and as he thinks fit, and shall hold at the disposal of the Court all sums may thereby come to his hands;

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
57—concld	The Provincial Insolvency Act, 1920—concld.	Section 70—concld.	Provided that such portions of the land shall be exempted from alienations as in the opinion of the Collector, having regard to the income of the judgment-debtor from all sources except such income as is dependent on the will of another person, is sufficient to provide for the maintenance of the insolvent and members of his family who are dependent on him, and such portion shall be deemed not to form part of the estate under administration.	
58	The Securities Act, 1920 ..	Section 13 (2) ..	For the purpose of the inquiry referred to in sub-section (1), the prescribed authority may direct one of its officers to record or may request the District Magistrate to record or to have recorded, the whole or any part of such evidence as the parties may produce. When such request has been made to the District Magistrate, such Magistrate may himself record or may direct any Magistrate of the first class subordinate to him, or any Magistrate of the second class suboridnate to him and empowered by general or special order of the Government in this behalf, to record the evidence, and shall forward a copy thereof to the prescribed authority. Explanation for the purposes of this sub-section, the District Magistrate means the District Magistrate having jurisdiction in the place where interest on the promissory note is payable and, where interest is payable at a place in an acceding State or non-acceding State, the Political Agent.	
59	The Identification of Prisoners Act, 1920.	Section 5 ..	If a Magistrate is satisfied that, for the purposes of any investigation or proceeding under the Code of Criminal Procedure, 1898, it is expedient to direct any person to allow his measurements or photograph to be taken he may make an order to that effect , and in that case the person to whom the order relates shall be produced or shall attend at the time and place specified in the order and shall allow his measurements or photograph to be taken , as the case may be, by a police officer;	

			Provided that no order shall be made directing any person to be photographed except by a Magistrate of the first class:	
			Provided further, that no order shall be made under this section unless the persons have at some time been arrested in connection with such investigation or proceeding.	
		Section 7 ..	Where any person who, not having been previously convicted of an offence punishable with rigorous imprisonment for a term of one year or upwards, has had his measurements taken or has been photographed in accordance with the provisions of this Act is released without trial or discharge or acquitted by any Court, all measurements and all photographs (both negatives and copies) so taken shall, unless the Court or (in a case where such reason is released) (without trial) the District Magistrate or Sub-Divisional Officer for reasons to be recorded in writing otherwise directs, destroyed or made over to him.	
60	The Maintenance Orders Enforcement Act, 1921	Section 4 (1) ..	Where a maintenance order has, whether before or after the passing of this Act, been made against any person by any Court in any reciprocating territory, and a certified copy of the order has been transmitted by the proper authority of that territory to the Central Government, the Central Government shall send a copy of the order to the prescribed officer of a Court in Pakistan for registration, and, on receipt thereof, the order shall be registered in the prescribed manner.	
		Section 4 (2) ..	The Court in which an order is to be so registered as aforesaid shall, if the Court by which the order was made was, in the opinion of the Central Government, a Court of superior jurisdiction, be a High Court, and if the Court was not, in its opinion, Court of superior jurisdiction, be a Court of summary jurisdiction.	
		Section 5 ..	Where Court in Pakistan has, whether before or after the commencement of this Act, made a maintenance order against any person, and it is proved to that Court that the person against whom the order was made is resident in reciprocating territory, the Court shall send to the Central Government, for transmission to the proper authority of that territory, a certified copy of the order.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
60—*concld.*	The maintenance Orders Enforcement Act, 1921—*contd.*	Section 6 (1) ..	Where application is made to a court of summary jurisdiction in Pakistan for a maintenance order against any person, and it is proved that that person is a resident of reciprocating territory, the Court may, in the absence of that person, if after hearing the evidence it is satisfied of the Justice of the application make any such order as it might have made it that person had wilfully neglected to attend the Court; but in such case the order shall be provisional only and shall have no effect unless and until confirmed by competent Court in such territory.	
		Section 6 (3) ..	Where such an order is made, the Court shall send to the Central Government, for transmission to the proper authority of the reciprocating territory in which the person against whom the order is made is alleged to reside, the depositions so taken and a certified copy of the order together with a statement of the grounds on which the making of the order might have been opposed if the person against whom the order is made had been duly served with summons and had appeared at the hearing and such information as the Court possesses for facilitating the identification of that person and ascertaining his whereabouts.	
60		Section 6 (4) ..	Where any such provisional order has come before a Court in a reciprocating territory for confirmation, and the order has by that Court been remitted to the Court of Summary jurisdiction which made the order for the purpose of taking further evidence, that court shall, after giving the prescribed notice, proceed to take the evidence in like manner and subject to the like conditions as the evidence in support of the original application.	
		Section 6 (5) ..	If it appears to the Court hearing such evidence that the order ought not to have been made, the Court may rescind the order, but in any other case the deposition shall be sent to the Central Government and dealt with in like manner as the original depositions.	

		Section 6 (6) ..	The confirmation of an order made under this section shall not affect any power of a Court of summary jurisdiction to vary or rescind that order:	
			Provided that, on the making of a varying or resciding order, the Court shall send a certified copy thereof to the Central Government for transmission to the proper authority of the reciprocating territory in which the original order was confirmed, or to which it was sent for confirmation and that, in case of an order varying the original order the order shall not have any effect unless and until confirmed in like manner as the original order.	
		Section 7 (1) ..	Where a maintenance order has been made by a Court in a reciprocating territory and the order is provisional only, and has no effect unless and until confirmed by a Court of summary jurisdiction in Pakistan, and a certified copy of the order together with the depositions of the witnesses and a statement of the grounds on which the order might have been opposed, has been transmitted to the Central Government and it appears to the Central Government that the person against whom the order has been made is resident in Pakistan, the Central Government may send the said document to the prescribed officer of the Court of summary jurisdiction, with a requistion that summons be issued calling upon the person to show cause why that order should not be confirmed, and upon receipt of such documents and requisition, the Court shall issue such a summon and cause it to be served upon such person.	
		Section 7 (2)	A summon issued under sub-section (1) shall for all purposes be deemed to be a summon issued by the Court in the exercise of its original criminal jurisdiction.	
		Section 7 (3) ..	At the hearing it shall be open to the person to whom the summon was issued to raise any defence which he might have raised in the original proceedings had he been a party thereto, but no other defence, and the certificate from the Court which made the provisional order stating the grounds on which the making of the order might have been opposed if the person against whom the order was made had been a party to the proceedings shall be conclusive evidence that those grounds are grounds on which objection may be taken.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
60—*concld.*	The maintenance Orders Enforcement Act, 1921—*contd.*	Section 7 (4) ..	If at the hearing the person served with the summons does not appear or, on appearing, fails to satisfy the court that the order ought not to be confirmed, the Court may, notwithstanding any pecuniary limit imposed on its power by any law for the time being in force in Pakistan, confirm the order either without modification or with such modifications as to the Court after hearing the evidence may seem just;	
			Provided that no sum shall be awarded as maintenance under this section, or shall be recoverable as such, at a rate exceeding that proposed in the provisional order.	
		Section 7 (5) ..	If the person to whom the summons was issued appears at the hearing and satisfies the Court that for the purpose of any defence it is necessary to remit the case to the Court which made the provisional order for the taking of any further evidence, the Court may for that purpose send a certified copy of the record to the Central Government for transmission to that Court through the proper authority of the reciprocating territory, and may adjourn the proceedings.	
		Section 7 (6) ..	Where a provisional order has been confirmed under this section, it may be varied or rescinded in like manner as if it had originally been made by the confirming Court, and where on an application for rescission or variation the Court is satisfied that it is necessary to remit the case to the Court which made the provisional orders for the purpose of taking any further evidence, the Court may for that purpose send a certified copy of the record to the Central Government for trans mission to that Court through the proper authority of the reciprocating territory, and may adjourn the proceedings.	
60		Section 8 (2) ..	A Court of summary jurisdiction in which an order has been registered under this Act or by which an order has been confirmed under this Act., and the officers of such Court, shall have such powers and perform such duties, for the purpose of enforcing the order, as may be prescribed.	

		Section 9 ..	A Court in registering or confirming an order for maintenance in accordance with the provisions of this Act shall direct that the charges for the transmission to the Court, from which the order has been received or in which the provisional order has been made, as the case may be, of the sum awarded as maintenance shall be borne by the person against whom the order has been so made or confirmed, and shall be recovered from him in addition to the sum awarded as maintenance and in addition to, and in the same manner as such other costs and charges as may be awarded or levied by the Court.
		Section 10 ..	For the purposes of this Act, any document purporting to be signed by a judge or officer of a Court outside Pakistan shall, until the contrary is proved, be deemed to have been so signed without proof of the signature of judicial or official character of the person appearing to have signed it, and the officer of a Court by whom a document is signed shall, until the contrary is proved, be deemed to have been the proper officer of the Court to sign the document.
61	The Emigration Act, 1922 .. Chapter VI.	Section 28 ..	No prosecution shall be instituted for any offence under this Chapter except with the sanction of a protector of Emigrants or of a person appointed under section 5 and empowered in this behalf where there is no protector or person so appointed and empowered, of the District Magistrates : Provided that no sanction shall be required when a offence has been committed in respect of an emigrant or an intended emigrant and the complaint is filed by such emigrant, or intended emigrant or, on behalf of such emigrant or intended emigrant, by the father, mother, husband, wife or guardian, of such emigrant or intended emigrant or if such emigrant or intended emigrant is a member of a joint Hindu family, by the manager of that family.
62	The Income Tax Act, 1922 ..	Section 46 (2) ..	The Income Tax Officer may forward to the Collector a certificate under his signature specifying the amount of arrears due from an assessee, and the Collector, on receipt of such certificate, shall proceed to recover from such assessee the amount specified therein as if it were an arrear of land revenue : Provided that without prejudice to any other powers of the Collector in this behalf, he shall for the purpose of recovering the said amount have the powers which under the Code of Civil Procedure, 1908 a Civil Court has for the purpose of the recovery of an amount due under a decree.

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Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
62—concld.	The Income Tax Act, 1922—concld.	Section 46 (9) ..	Where a Collector in any of the provinces of Pakistan receives through the Central Board of Revenue of Pakistan a certificate under the signature of an Income Tax Officer in India, the Collector shall proceed to recover the amount specified therein in the manner which he would proceed to recover the amount specified in a certificate received from an Income Tax Officer in Pakistan, and shall remit any sum so recovered by him to the Income Tax Officer in India, after deducting his expenses in connection with the recovery proceedings.	
		Section 46 (10) ..	The provisions of sub-sections (8) and (9) shall remain in force only so long as there are in force similar provisions in this Act as in force as part of the law of India or under any other similar Act forming part of the law of I ndia for the recovery of tax by a Collector in India on receipt of a cerficate from an Income Tax Officer in Pakistan.	
63	The Police (Incitement to Disaffection) Act, 1922.	Section ..	No Court shall proceed to the trial of any offence under this Act except with the previous sanction, or on complaint, of the District Magistrate.	
		Section 6 1) ..	No Court inferior to that of a Magistrate of the first class shall try any offence under this Act.	
64	The States (Protection , Against Dis-affection) Act, 1922.	Section 5 ..	No Court inferior to that of a Magistrate of the first class shall proceed to the trial of any offence under section 3, and no Court shall proceed to the trial of any such offence except on complaint made by, or nder authority from, the Provincial Government.	
	The Mines Act, 1923 ..	Section 4 (3) ..	The District Magistrate may exercise the powers and perform the duties of an Inspector subject to the general or a special orders of the Central Government: Provided that nothing in this sub-section shall be deemed to empower a District Magistrate to exercise any of the powers conferred by section 19 or section 32.	

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		Section 14 ..	The owner, agent or manager of a mine shall in the case of an existing mine within one month from the commencement of this Act, or, in the case of a new mine, within three months after the commencement of mining operations give to the District Magistrate of the district in which the mine is situated notice in writing in such form and containing such particulars relating to the mine as may be prescribed.	
		Section 41 ..	No prosecution shall be instituted against any owner, agent or manager for any offence under this Act except at the instance of the Chief Inspector or of the District Magistrate or of an Inspector authorised in this behalf by general or special order in writing by the Chief Inspector.	
		Section 43 ..	No Court inferior to that of a Magistrate of the first Class shall try any offence under this Act which is alleged to have been committed by an owner, agent or manager of a mine or any offence which is by this Act made punishable with imprisonment.	
		Section 44 (1 ..	If the Court trying any case instituted at the instance of the Chief Inspector of the District Magistrate or of an Inspector under this Act is of opinion that the case is one which should, in lieu of a prosecution, be referred to a Mining Board or a Committee, it may stay the criminal proceedings, and report the matter to the Central Government with a view to which reference being made.	
66	The Boilers Act, 1923 ..	Section 15 ..	The owner of any boiler who holds a certificate or provisional order relating thereto shall, at all reasonable times during the period for which the certificate or order is in force, be bound to produce the same when called upon to do so by a District Magistrate, or Magistrate of the first class having jurisdiction in the area in which the boiler is for the time being, or by the Chief Inspector or by an Inspector or by any Inspector appointed under the Indian Factories Act, 1911, or by any person specially authorised in writing by a District Magistrate.	
		Section 27 ..	No offence made punishable by or under this Act shall be tried by a Court inferior to that of a Magistrate of the first class.	
67	The Cantonments (House Accommodation) Act, 1923.	Section 12 ..	If the owner fails to give possession of a house to the Officer Commanding the station in pursuance of a notice issued under section 7, or if the existing occupier fails to vacate a house in pursuance of such a notice, the District Magistrate by himself or by another persons generally or specially authorised by him in this behalf, shall enter on the premises and enforce the surrender of the house.	
68	The Naval Armament Act, 1923	Section 13 ..	No Court inferior to that of a Magistrate of the first class shall proceed to the trial of any offence punishable under this Act, and no Court shall proceed to the trial of any such offence except on complaint made by, or unde authority from the Central Government.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
69	The Cotton Cess Act, 1923 ..	Section 6 (1) ..	The owner of every mill shall furnish to the Collector on or before the seventh day of each month, a return stating the total amount of cotton consumed or brought under process in the mill during the preceding month, together with such information in regard thereto as may be prescribed: Provided that no return shall be required in regard to cotton consumed or brought under process before the commencement of this Act.	
		Section 7 (1) ..	On receiving any return made under section 6, the Collector shall assess the cotton cess payable in respect of the period to which the return relates, and if the amount are not already been paid shall cause a notice to be served upon the owner of the mill requiring him to make payment of the amount assessed within ten days of the service of the Notice.	
		Section 7 (2) ..	If the owner of any mill fails to furnish in due time the returns referred to in section 6 or furnishes a return which the Collector has reason to believe is incorrect or defective, the Collector shall assess the amount payable by him in such manner, if any, so may be prescribed, and the provisions of sub-section (1) shall thereupon apply as if such assessment had been made on the basis of a return furnished by the owner: Provided that, in the case of a return which he has reason to believe is incorrect or defective, the Collector shall not assess the cess at an amount higher than that at which it is assessable on the basis of the return without giving to the owner a reasonable opportunity of proving the correctness and completeness of the return.	
		Section 10 (1) ..	The Collector or any officer empowered by general or special order of the Central Government in this behalf shall have free access at all reasonable times during working hours to any mill or to any part of any mill.	

		Section 10 (2) ..	The Collector or any such officer may at any time, with or without notice to the owner, examine the working records, sale records and accounts of any mill and take copies of or extracts from all or any of the said records or accounts for the purpose of testing the accuracy of any return or of informing himself as to the particulars regarding which information is required for the purposes of this Act or any rules made thereunder.
		Section 10(3) ..	Where any officer other than the Collector proposes to examine under sub-section (2) any record or account containing the description or formula of any trade process, the owner of the mill may give to the said officer, for transmission to the Collector, a written notice of objection and the officer shall thereupon seal up the record or account pending the orders of the Collector.
		Section 11 (1) ..	All such copies and extracts and all information acquired by a Collector or any other officer from an inspection of any mill or warehouse or from any return submitted under this Act shall be treated as confidential.
		Section 11 (2) ..	If the Collector or any such officer discloses to any person other than a superior officer any such information as aforesaid without the previous sanction of the Central Government he shall be punishable with imprisonment which may extend to six months and shall also be liable to fines: Provided that nothing in this section shall apply to the disclosure of any such information for the purposes of a prosecution in respect of the making of a false return under this Act.
70	The Official Secrets Act, 1923	Section 11 (1) ..	If a Magistrate of the first class or Sub-Divisional Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Act has been or is about to be committed, he may grant a search-warrant authorising any police officer armed therein, not being below the rank of an officer in charge of a Police Station, to enter at any time any premises or place armed in the warrant, if necessary, by force, and to search the premises or place and every person found therein, and to seize any sketch, plan, model, article, note or document or anything of a like nature, or anything which is evidence of an offence under this Act having been or being about to be committed which he may find on the premises or place any such person, and with regard to or in connection with which he has reasonable ground for suspecting that an offence under this Act has been or is about to be committed.
		Section 11 (2) ..	Where it appears to a police officer, not being below the rank of Superintendent, that the case is one of great emergency, and that in the interests of the State immediate action is necessary, he may by a written order under his hand give to any police officer the like authority as may be given by the warrant of a Magistrate under this section.

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
70—*concld*	The Official Secrets Act, 1923—*concld*,	Section 11 (3) ..	Where action has been taken by a police officer under sub-section (2) he shall, as soon as may be, report such action, to the District or Sub-Divisional Magistrate.	
71	The Merchant Shipping Act, 1923.	Section 209 C(4) ..	If the master, owner or agent objects that the sum specified in the notice issued under sub-section (3) or any part thereof is not payable by him, he may, at the time of payment of such sum, give to the Pilgrim Officer notice of his objection, together with a statement of the grounds thereof and the Pilgrim Officer shall thereupon either cancel or modify the aforesaid notice in accordance with the objection and refund the sum held in deposit under sub-section (3) or refer the objection for decision to a Magistrate of the first class exercising jurisdiction in the part of place at which the ship is delayed; the decision of the Magistrate on such reference shall be final, and there shall be refunded to the master, owner or agent any amount allowed to him by such decision.	
		Section 240 ..	Magistrates of the first class espcially empowered in this behalf by the Central Government shall have jurisdiction to make formal investigations into shipping casualties under this part.	
72	The Cantonment Act, 1924 ..	Section 13 (3) ..	In class I cantonment, the Board shall consist of the following members namely:— (*b*) a Magistrate of the first class nominated by the District Magistrate;	
		Section 13 (4) ..	In Class II Cantonments, the Board shall consist of the following members, namely— (*b*) a Magistrate of the first class nominated by the District Magistrates.	
		Section 41 (1) ..	Minutes of the proceedings of each meeting shall be recorded in book and shall be signed by the President before the close of the meeting, and shall, at such times and in such places as may be fixed by the Board, be open to inspection free of charge by any inhabitant of the Cantonment.	

	Section 41 (2) ..	Copies of the minutes shall, as soon as possible after each meeting, be forwarded for information to the Officer Commanding-in-Chief, the Command, the Officer Commanding the District, the Officer Commanding the brigade areas, the District Magistrate and the Military Estates Officer.
	Section 51 ..	If, the President dissents from any decision of the Board which he considers prejudicial to the health, welfare or discipline of the troops in the cantonment he may, for reasons to be recorded in the minutes by order in writing, direct the suspension of action thereon for any period not exceeding one month and, if he does so, shall forthwith refer the matter to the Officer Commanding-in-Chief, the Command, the reference being made, save in cases where the Officer Commanding the District is himself the Officer Commanding-in-Chief, the Command, for the purposes of this Act through the Officer Commanding the District, who make such recommendations thereon as he thinks fit.
	Section 51 (2) ..	If the District Magistrate considers any decision of a Board to be prejudicial to the public health, safety, or convenience, he may, after giving notice in writing of his intention to the Board refer the matter to the Central Government and, pending the disposal of the reference to the Central Government, no action shall be taken on the decision.
3	Section 51 (3) ..	If any Magistrate who is a member of a Board, being present at a meeting, dissents from any decision which he considers prejudicial to the public health, safety or convenience, he may, for reasons to be recorded in the minutes and after giving notice in writing of his intention to the President, report the matter to the District Magistrate and the President shall, on receipt of such notice, direct the suspension of action on the decision for a period sufficient to allow of a communication being made to the District Magistrate and of his taking proceedings as provided by sub-section (2).
	Section 84 (1) ..	An appeal against the assessment or levy of, or against the refusal to refund any tax under this Act shall lie to the District Magistrate or to such officer as may be empowered by the Central Government in this behalf: Provided that, where the person to whom the appeal would ordinarily lie is, or was when the tax imposed, a member of the Board, the appeal shall lie to the Commissioner of the Division, or, in a Province where there are no Commissioners, to the District Judge.
	Section 202 (1) ..	No place in a cantonment other than a public market shall be used as a market, and no place in a Cantonment other than a public slaughter-house shall be used as a slaughter-house, unless such place has been licensed as a market or slaughter-house, as the case may be, by the Board: Provided that nothing in this sub-section shall apply in the case of a slaughter-house established and maintained by the Government.

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
73—*contd.*	The Cantonment Act, 1924—*concld.*	Section 202 (2) ..	Nothing in subsection (I) shall be deemed— (*a*) to restrict the slaughter of any animal in any place on the occasion of any festival or ceremony, subject to such conditions as to prior or subsequent notice as the Executive Officer with the previous sanction of the District Magistrate may, by public or special notice, impose in this behalf.	
		Section 236 (2) ..	No prosecution for an offence under this section shall be instituted except on the complaint of the person importuned, or of a military officer in whose presence the offence was committed, or a member of the Military or Air Force Police, being employed in the Cantonment and authorised in this behalf by the Officer Commanding the station in whose presence the offence was committed, or of a police officer not below the rank of a Sub-Inspector or a Sergeant who is employed in the cantonment and authorised in this behalf by the Officer Commanding the station with the concurrence of the District Magistrate.	
		Section 238 ..	A Magistrate of the first class, having jurisdiction in a cantonment, on receiving information that any person residing in or frequenting the cantonment— (*a*) is a disorderly person who has been convicted more than once of gaming or who keeps or frequents a common gaming house, a disorderly drinking shop or a disorderly house of any other description, or (*b*) has been convicted more than once, either within the cantonment or elsewhere, of an offence punishable under Chapter XVII of the Pakistan Penal Code, or (*c*) has been convicted, either within the cantonment or elsewhere, of any offence punishable under section 156 of the Army Act, or (*d*) has been ordered under Chapter VIII of the Code of Criminal Procedure.	

			1898, either within the cantonment or elsewhere, to execute a bond for his good behaviour— may record in writing the substance of the information received, and may issue a summon to such person requiring such person to appear and show cause why he should not be required to remove from the cantonment and be prohibited from re-entering it.	
		Section 238 (3) ..	The Magistrate shall, when the person so summoned appear before him proceed to inquire into the truth of the informations received and take such further evidence as he thinks fit, and if, upon such inquiry, it appears to him that such person is a person of any kind described in sub-section (I) and that is necessary for the maintenance of good order in the cantonment that such person should be required to remove therefrom and be prohibited from re-entering the cantonment, the Magistrate shall report the matter to the Officer Commanding the station, and, if the Officer Commanding the station so directs, shall cause to be served on such person an order in writing requiring him to remove from the cantonment within such time as may be specified in the order and prohibiting him from re-entering it without the permission in writing of the Officer Commanding the station.	
		Section 239 (4) ..	The Central Government, may, of its own motion, and shall, on application, made to it in this behalf within one month of the date of the order by the person against whom the order has been made, call upon the District Magistrate to make, after such inquiry as the Central Government may prescribe, a report regarding the justice of the order and the necessity therefor. At every such inquiry the person against whom the order has been made shall be given an opportunity of being heard in his own defence.	
		Section 262 (2) ..	If the Board or the other party concerned or the Officer Commanding the station fails within seven days of the date of issue of the notice referred to in section 261 to make any nomination which it or he is entitled to make or, if any member who has been so nominated neglects or refuses to act and the Board or other person by whom such member was nominated fails to nominate another member in his place within seven days from the date on which it or he may be called upon to do so by the District Magistrate, the District Magistrate shall forthwith appoint a member or members, as the case may be, to fill the vacancy or vacancies.	
72		Section 263 (2) ..	If, in the opinion of the District Magistrate, any person who has been nominated has a direct interest in the matter under reference, or is otherwise disqualified for nomination, or if the services of any such person are not immediately available as aforesaid, and if the Board or other person by whom any such person was nominated fails to nominate another member within seven days from the date on which it or he may be called upon to do so by the District Magistrate, such failure shall be deemed to constitute a failure to make a nomination within the meaning of section 262.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
72—*concld.*	The Cantonment Act 1924—*concld.*	Section 264 (3) ..	The Committee shall receive and record evidence, and shall have power to administer oaths to witness, and, on requisition in writing signed by the Chairman of the Committee, the District Magistrate shall issue the necessary processes for the attendance of witnesses and the production of documents required by the Committee, and may enforce the said processes as if they were processes for attendance or poduction before himself.	
		Section 277 (1) ..	Where an appeal from an order made by the Board has been disposed of by the District Magistrate either party to the proceedings may, within thirty days from the date thereof, apply, through the Officer Commanding-in-Chief, the Command, to the Central Government, or to such authority as the Central Government may appoint in this behalf, for a revision of the decision.	
73	The Cotton Ginning and Pressing Factories Act, 1925.	Section 11 ..	No prosecution under this Act shall be instituted except by or with the previous sanction of the District Magistrate or a Magistrate of the first class especially empowered in this behlaf by the Provincial Government. 2. No offence punishable under this act shall be tried by any Court inferior to that of a Magistrate of the first class.	
74	The Succession Act, 1925 ..	Section 195 ..	If it further appears upon such inquiry as aforesaid that danger is to be apprehended of the misappropriation or waste of the property before the summary proceeding can be determined, and that the delay in obtaining security from the party in possession or the insufficiency thereof is likely to expose the party out of possession to considerable risk, provided he is the lawful owner, the District Judge may appoint one or more curators whose authority shall continue according to the terms of his or their respective appointments, and in no case beyond the determination of the summary proceedings and the confirmation or delivery of possession in consequence thereof: Provided that, in the case of land, the Judge may delegate to the Collector, or to any officer subordinate to the Collector, the powers of a curator:	

			Provided further, that every appointment of a curator in respect of any property shall be duly published.	
		Section 199 ..	Where the estate of the deceased person consists wholly or in part of land paying revenue to Government, in all matters regarding the property of summoning the party in possession, of appointing a curator, or of nominating individuals to that appointment, the District Judge shall demand a report from the Collector, and the Collector shall thereupon furnish the same ;	
			Provided that in cases of urgency the Judge may proceed, in the first instance, without such report.	
			The Judge shall not be obliged to act in conformity with any such report, but, in case of his acting otherwise than according to such report, he shall immediately forward a statement of his reasons to the High Court, and the High Court, if it is dissatisfied with such reasons, shall direct the Judge to proceed conformably to the report of the Collector.	
		Section 283 (2) ..	The citation shall be fixed up in some conspicuous part of the court-house, and also in the office of the Collector of the district and otherwise published or made in such manner as the Judge or District Delegate issuing the same may direct.	
75	The Trade Unions Act, 1926 ..	Section 33 (1) ..	No Court inferior to that of a Magistrate of the first class shall try any offence under this Act.	
76	The Forest Act 1927 ..	Section 17 ..	Any person who has made a claim under this Act, or any Forest Officer or other person generally or specially empowered by the Provincial Government in this behalf, may, within three months from the date of the order passed on such claim by the Forest Settlement Officer under section 11, section 12, section 15 or section 16, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Collector, as the Provincial Government may, by notification in the official Gazette, appoint to hear appeals from such orders;	
			Provided that Provincial Government may establish a Court hereinafter called the Forest Court composed of three persons to be appointed by the Provincial Government and, when the Forest Court has been so established, all such appeals shall be presented to it.	
		Section 31 ..	The Collector shall cause a translation into the local vernacular of every notification issued under section 30 to be fixed in a conspicuous place in every town and village in the neighbourhood of the forest comprised in the notification.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
76—*concld.*	The Forest Act, 1927—*concld.*	Section 38 (1) ..	The owner of any land or, if there be more than one owner thereof, the owners of shares therein amounting in the aggregate to at least two-thirds thereof may, with view to the formation or conservation of forests thereon, represent in writing to the Collector their desire:— (*a*) that such land be managed on their behalf by the Forest Officer as a reserved or a protected forest on such terms as may be mutually agreed upon; or (*b*) that all or any of the provisions of this Act be applied to such land.	
		Section 67 ..	The District Magistrate or any Magistrate of the first class specially empowered in this behalf by the Provincial Government may try summarily, under the Code of Criminal Procedure, 1898, any forest offence punishable with imprisonment for a term not exceeding six months, or fine not exceeding five hundred rupees, or both.	
77	The Light House Act, 1927 ..	Section 12 (3) ..	If any person refuses or neglects to produce any register or other papers or otherwise to satisfy the Customs Collector as to the true tonnage of any ship when required to do so under this section, such person shall be liable to pay the expenses of the measurement of the ship and of the ascertainment of the tonnage and, if the ship is a registered ship, shall further, on conviction by a Magistrate of the first class having jurisdiction in the port where the ship lies or in any port to which she may proceed, be punishable with fine which may extend to one thousand rupees.	
		Section 15 ..	If any dispute arises as to whether light-dues, expenses or costs are payable in respect of any ship under this Act or as to the amount of such dues, expenses or costs, the dispute shall on application made in this behalf by either of the disputing parties be heard and determined by a Magistrate of the 1st Class having jurisdiction at the place where the dispute arises, and the decision of such Magistrate shall be final.	
		Section 17 (1) ..	If the owner or master of a ship evades or attempts to evade the payment of any light-dues, expenses or costs payable in respect of the ship under this Act he shall, on conviction by a Magistrate of the first class having jurisdiction in any port to which the vassel may proceeds or in which one may be found, be punishable with fine which may extend to five times the amount of the sum payable.	

78	The Child Marriage Restraint Act, 1929.	Section 8 ..	Notwithstanding anything contained in section 190 of the Code of Criminal Procedure, 1898, no Court other than that of Magistrate of the first class shall take cognizance of or try any offence under this Act.	
		Section 10 ..	The court taking cognizance of an offence under this Act shall, unless it dismisses the complaint under section 203 of the Code of Criminal Procedure, 1898, either itself make an inquiry under section 202 of that Code, or direct a Magistrate of the first class subordinate to it to make such inquiry.	
		Section 22 (*i*) ..	The Collector, or other officer authorised by the Provincial Government in this behalf, or a Magistrate of the first class, or a Magistrate of the second class specially empowered by the Provincial Government in this behalf, may issue a warrant for the arrest of any person whom he has reason to believe to have committed an offence punishable under Chapter III, or for the search, whether by day or by night, of any building, vessel, or place in which he has reason to believe any dangerous drug in respect of which an offence punishable under Chapter III has been committed is kept or concealed.	
79	The Dangerous Drugs Act, 1930	Section 31 ..	No Magistrate shall try an offence under this Act unless he is a Magistrate of the first class, or a Magistrate of the second class specially empowered by the (Appropriate Government) in this behalf.	
		Section 34 (2) ..	Where any article seized under this Chapter appears to be liable to confiscation under section 33, but the person who committed the offence in connection therewith is not known or cannot be found, the Collector or other officer authorised by the Provincial Government in this behalf, may inquire into and decide such liability, and may order confiscation accordingly; Provided that no order of confiscation of an article shall be made until the expiry of one month from the date of seizure, or without hearing any person who may claim any right thereto and the evidence, if any which he produces in respect of his claim: Provided, further, that, if any such article, other than a dangerous drug, is liable to speedy and natural decay, or if the Collector or other officer is of opinion that its sale would be for the benefit of its owners, he may at any time direct it to be sold; and the provisions of this sub-section shall, as early as may be practicable, apply to the net proceeds of the sale.	
80	The Port Haj Committees Act, 1932.	Section 19 (5) ..	No Magistrate other than a Magistrate of the first class shall take cognizance of an offence punishable under sub-section (4) and such Magistrate shall take cognizance of such offence only on written complaint by the Chairman of the Port Haj Committee concerned.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
81	The Criminal Law Amendment Act, 1932.	Section 9 (I) ..	(i) No Court inferior to that of a***Magistrate of the first class shall try any offence under this Act;	
82	The Wireless Telegraphy Act, 1933.	Section 7 (I) ..	(I) A Magistrate of the first class or a Magistrate of the second class specially empowered by the Central Government in this behalf, may issue a warrant for the search, at any time between sunrise and sunset, of any building, vessel or place in which he has reason to believe that any wireless telegraphy apparatus, in respect of which an offence punishable under section 6 has been committed, is kept or concealed.	
83	The States (Protection) Act, 1934.	Section 4(1) ..	When a District Magistrate is of opinion that within his jurisdiction attempts are being made to promote assemblies of persons for the purpose of proceedings from Pakistan into the territory of an Acceding State and that the entry of such persons into the said territory or their presence therein is likely or will tend to cause obstruction to the Administration of the said State or danger to human life or safety or a disturbance of the public tranquillity or a riot or an affray wthin the said territory, he may, by order in writing stating the material facts of the case, prohibit within the area specified in the order the assembly of five or more persons in furtherance of the said purpose.	
		Section 5(1) ..	Where, in the opinion of a District Magistrate, there is sufficient ground for proceeding under the section and immediate prevention of speedy remedy is desirable, such Magistrate may by written order stating the material facts of the case, and served in the manner provided by section 134 of the Code of Criminal Procedure, 1898, direct any person to abstain from a certain act if such Magistrate considers that such direction is likely to prevent of tends to prevent obstruction to the Administration of an acceding State or danger to human life or safety or a disturbance of the public tranquillity or a riot or an affray within the said state.	
		Section 5(4) ..	A District Magistrate may, either on his own motion or on the application of any person aggrieved, rescind or alter any order made under sub-section (1) by himself or by his predecessor in office.	

84	The Sugarcane Act, 1934 ..	Section 6 ..	No Court shall take cognizance of any offence punishable under section 5 except upon complaint made by order of, or under authority from the District Magistrate.
85	The Factories Act, 1934 ..	Section 11 ..	Subject to any rules made by the Provincial Government in this behalf, an Inspector may, within the local limits for which he is appointed:— (a) enter, with such assistants (if any), being person in the service of the State or of any municipal or other public authority, as he thinks fit, at place which is or which he has reason to believe to be, used as a factory or capable of being declared to be a factory under the provisions of section 5 ; (b) make such examination of the premises and plant and of any prescribed registers, and take on the spot or otherwise such evidence of any persons as he may deem necessary for carrying out the purposes of this Act; and (c) exercise such other powers as may be necessary for carrying out the purposes of this Act : Provided that no one shall be required under this section to answer any question or give any evidence tending to criminate himself.
		Section 14(3) ..	If it appears to the Inspector that in any factory, gas, dust or other impurity generated in the course of work is being inhaled by the worker to an injurious extent, and that such generation or inhalation could be prevented by the use of mechanical or other devices, he may serve on the manager of the factory an order in writing, directing that mechanical or other devices for preventing such generation or inhalation shall be provided before a specified date, and shall thereafter be maintained in good order and used throughout working hours.
		Section 15 (3) ..	If it appears to the Inspector that the water used in a factory for increasing humidity which is required to be effectively purified under sub-section (2) is not effectively purified, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.
		Section 18(2) ..	If it appears to the Inspector that any factory is not sufficiently lighted, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.
		Section 23 (1) ..	Every factory shall be provided with such means of excapte in case of fire as may be prescribed.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
85—contd.	The Factories Act, 1934—contd.	Section 23(2) ..	If it appears to the Inspector that any factory is not so provided, he may serve on the manager of the factory an order in writing, specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.	
		Section 24(2) ..	If it appears to the Inspector that any other part of the machinery in a factory is dangerous if not adequately fenced, he may serve on the manager of the factory an order in wrtiting , specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.	
		Section 25 ..	If it appears to the Inspector that any building or part of a building, or any part of the ways, machinery or plant in a factory is in such a condition that it may be dangerous to human life or safety, he may serve on the manager of the factory an order in writing requiring him before a specified date— (a) to furnish such drawings, specifications and other particulars as may be necessay to determine whether such building, ways, machinery or plant can be used with safety, or (b) to carry out such tests as may be necessary to determine the strength or quality of any specified parts and to inform the Inspector of the results thereof.	
		Section 26(1) ..	If it appears to the Inspector that any building or part of a building or any part of the ways, machinery or plant in a factory is in such a condition that it is dangerous to human life or safety, he may serve on the manager of the factory an order in writing specifying the measures which in his opinion should be adopted, and requiring them to be carried out before a specified date.	
		Section 26 (2) ..	If it appears to the Inspector that the use of any building or part of a building or of any part of the ways, machinery or plant in a factory involves imminent danger to human life or safety, he may serve on the manager of the factory an order in writing prohibiting its use until it has been properly repaired or altered.	

		Section 28(2)	If it appears to the Inspector that the presence in any factory or part of a factory of children who cannot be lawfully employed therein may be dangerous to them or injurious to their health, he may serve on the manager of the factory an order in writing directing him to prevent the admission of such children to the factory or any part of it.	
		Section 29 ..	No woman or child shall be employed in any part of a factory for pressing cotton in which a cotton-opener is at work : Provided that, if the feed-end of a cotton-operner is in a room separated from the delivery end by a partition extending to the roof or to such height as the Inspector may in any particular case specify in writing, women and children may be employed on the side of the partition where the feedend is situated.	
		Section 35 (1) ..	No adult worker shall be allowed to work in a factor, on a Sunday unless— (a) he has had or will have a holiday for a whole day on one of the three days immediately before or after that Sunday, and (b) the Manager of the factory has, before that sunday or the substituted day, which every is earlier— (i) delivered a notice to the office of the Inspector of his intention to require the worker to work on the Sunday and of the day which is to be sub stituted, and (ii) displayed a notice to that effect in the factory : Provided that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.	
		Section 40(1) ..	A copy of the Notice referred to in sub-section (1) of section 39 shall be sent in duplicate to the Inspector with in fourteen days after the commencement of this Act, or, if the factory begins work after the commencement of this Act, before the day on which it begins work.	
		Section 40(2) ..	Any proposed change in the system of work in a factory which will necessitate a change in the Notice shall be notified to the Inspector in duplicate before the change is made, and, except with the previous sanction of the Inspector, no such change shall be made until one week has elapsed since the last change.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
85—*contd.*	The Factories Act, 1934—*contd.*	Section 49E ..	Any Inspector may institute proceedings on behalf of any worker to recover any sum required to be paid under this Chapter by an employer which the employer has not paid.	
		Section 41(1) ..	The manager of every factory shall maintain a register of adult workers showing— (a) the name of each adult worker in the factory, (b) the nature of his work, (c) the group, if any, in which he is included, (d) where his group works on shifts, the relay to which he is allotted, and (e) such other particulars as may be prescribed : Provided that, if the Inspector is of opinion that any muster roll or register maintained as part of the routine of a factory gives in respect of any or all of the workers in the factory, the particulars reqiured under this section, he may, by order in writing, direct that such muster roll or register shall to the corresponding extent be maintained in place of and be treated as the Register of Adult Workers in that factory : Provided further that, where the Provincial Government is satisfied that the conditions of work in any factory or class of factories are such that there is no appreciable risk of contravention of the provision of this Chapter in the case of that factory or factories of that class, as the case may be, the Provincial Government may, by written order, exempt, on such conditions as it may impose, that factory or all factories of that class, as the case may be, from the provision of this section.	

		Section 58 ..	Where an Inspector is of opinion— (a) that any person working in a factory without a certificate of fitness is a child or an adolescent, or (b) that a child or adolescent working in a factory with a certificate is no longer fit to work in the capacity stated therein, he may serve on the manager of the factory a notice requiring that such person, or that such child or adolescent, as the case may be, shall be examined by a certifying surgeon or by a practitioner authorised under sub-section (2) of section 12, and such person, child or adolescent shall not, if the Inspector so directs, be allowed to work in any factory until he has been so examined and has been granted a certificate of fitness or a fresh certificate of fitness, as the case may be.	
		Section 59B ..	(1) All the provisions of the Act, except clause (j) of section 2, section 4, 5, 6 and 7, sub-section (1) and (4) of section 14, sections 15, 21, 22 and 25, sub-sections (1), (2) and (3) of section 33 and Chapter IV shall apply, to, and in relation to, all small factories wherein any worker who is not, or is not deemed to be, an adult is employed, and in the provision hereby made so applicable every reference to a factory shall be deemed to include, so far as may be, a reference to a small factory. (2) The aforesaid provisions shall cease to apply to a small factory on the expiry of six months from the receipt by the Inspector of a notice in writing from the occupier that he has ceased to employ therein any worker who is not, or is not deemed to be an adult unless any such worker is employed therein on any day of the said six months : Provided that if any such worker is thereafter employed in the small factory, the said provisions of this Act shall again apply thereto.	
		Section 63 ..	Whoever wilfully obstructs an Inspector in the exercise of any power under section 11, or fails to produce on demand by an Inspector any registers or other documents in his custody kept in pursuance of this Act or of any of the rules made thereunder, or conceals or prevents any worker in a factory from appearing before or being examined by an Inspector, shall be punishable with fine which may extend to five hundred rupees.	
		Section 71 (2) ..	When it is made to appear to the satisfaction of the Inspector at any time prior to the institution of the proceedings— (a) that the occupier or manager of the factory has used all due diligence to enforce the execution of this Act, and (b) by what person the offence has been committed, and	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
85—*contd.*	The Factories Act, 1934—*concld.*	Section 71 (2)—*concld.* ..	(c) that it has been committed without the knowledge, consent or connivance of the occupier or manager, and in contravention of his orders, the inspector shall proceed against the person whom he believes to be the actual offender without first proceeding against the occupier or manager of the factory, and such person shall be liable to the like fine as if he were the occupier or manager.	
		Section 74(1) ..	No prosecution under this Act except a prosecution under section 66, shall be instituted except by or with the previous sanction of the Inspector.	
		Section 75 ..	No Court shall take cognizance of any offence, under this Act of any rule or order thereunder, other than an offence under section 62 or section 64, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed : Provided that when the offence consists of disobeying a written order made by an Inspector, complaint thereof may be made within twelve months of the date on which the offence is alleged to have been committed.	
86	The Petroleum Act, 1934 ..	Section 25 ..	Offences punishable under this Act shall be triable by a Magistrate of the first class, or by a Magistrate of the second class who has been specially empowered by the Central Government in this behalf.	
87	The Pakistan Navy (Discipline) Act, 1934.	Section 76 ..	The gaoler or other person removing any offender in pursuance of such order shall be allowed for the charges of such removal a sum not exceeding twelve annas a mile, and when any offender is not confined in a naval prison or naval detention quarters the gaoler or other person in whose custody any such offender may be shall receive such an allowance as the Central Government shall from time to time direct for every day that such offender is in his custody, to be applied towards his subsistence and such sum shall be paid to the said gaoler or other person under the authority of the Central Government, upon the application in writing made to the Central Government by the District Magistrate within whose jurisdiction such gaol, prison, or house of correction shall be situate, with a copy of the sentence or order under which the offender is confined.	

88	The payment of Wages Act, 1936.	Section 14(1) ..	An Inspector of Factories appointed under sub-section (1) of section 10 of the Factories Act, 1934, shall be an Inspector for the purposes of this Act in respect of all factories within the local limits assigned to him.
		Section 14(4) ..	An Inspector may, at all reasonable hours, enter on any premises and make such examination of any registrar or document relating to the calculation or payment of wages and take on the spot or otherwise such evidence of any person, and exercise such other powers of inspection, as he may deem necessary for carrying out the purposes of this Act.
		Section 15(2) ..	Where contrary to the provisions of this Act any deduction has been made from the wages of an employed person, or any payment of wages has been delayed, such person himself, or any legal practitioner or any official of a registered trade union authorised in writing to act on his behalf, or any Inspector under this Act, or any other person acting with the permission of the authority appointed under sub-section (1), may apply to such authority for a direction under sub-section (3):
			Provided that every such application shall be presented within six months from the date on which the deduction from the wages was made or from the date on which the payment of the wages was due to be made, as the case may be:
			Provided further that any application may be admitted after the said period of six months when the applicant satisfies the authority that he had sufficient cause for not making the application within such period.
89	The Insurance Act, 1938 ..	Section 109 ..	No Court inferior to that of a Magistrate of the first class shall try any offence under this Act.
90	The Manoeuvres Field Firing and Artilery Practice Act, 1938.	Section 6(1) ..	The Collector of the district in which any area utilised for the purpose of manoeuvres is situated shall depute one or more Revenue Officers to accompany the force engaged in the manoeuvres for the purpose of determining the amount of any compensation payable under section 5.
		Section 6(4 ..	Where any such notice has been given, the Collector of the district shall constitute a commission consisting of himself as chairman, a person nominated by the Officer Commanding the forces engaged in the manoeuvres and two persons nominated by the District Board, and the commission shall decide all appeals of which notice has been given.
		Section 10(2)	The Officer Commanding the forces engaged in any such practice may, within the notified area or specified part thereof, declare any area to be a danger zone, and thereupon the Collector shall, on application made to him by the Officer Commanding the forces engaged in the practice, prohibit the entry into and secure the removal from such danger zone of all persons and domestic animals during the times when the discharge of lethal missiles is taking place or there is danger to life or health.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
91	The Employment of Children Act,. 1938.	Section 5 (3) ..	No Court inferior to that of a Magistrate of the first class shall try any offence under this Act.	
92	The Pakistan Naval Reserve Forces (Discipline) Act, 1939	Section 7 ..	No Court inferior to that of a Magistrate of the first class shall try an offence punishable under sub-section (1) of section 5.	
93	The Drugs Act, 1940 ..	Section 15 ..	No Court inferior to that of a Magistrate of the first class shall try an offence punishable under section 13.	
		Section 22	Subject to the provisions of section 23 and of any rules made by the Provincial Government in this behalf, an Inspector may within the local limits for which he is appointed.	
			(c) where he has reason to believe that any drug which is being manufactured for sale, or being sold or is stocked or exhibited for sale, or is being distributed, contravenes any of the provisions of section 18, order in writing the person in whose possession such drug may be not to dispose of any stock of such drug for a specified period not exceeding ten days, or unless the alleged contravention is such that the defect may be removed by the possessor of the drug, seize the stock of such drug :	
			Provided that the Inspector shall not take any action under this clause unless he has reported the fact to the District Magistrate and has been authorized by such Magistrate to take such action ;	
94	The Collective Fines Ordinance, 1942	Section 3(3) ..	The District Mgistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.	
		Section 3(3A) ..	In any such apportionment the District Magistrate may assign a portion of such fine to a Hindu undivided family payable by it.	
		Section 3(4) ..	The portion of such fine payable by any person (including a Hindu undivided	

			family) may be recovered— (a) in the manner provided by the Code of Criminal Procedure, 1898, for the recovery of fines imposed by a Court, as if such portion were a fine imposed by the District Magistrate acting as a Court: Provided that the Provincial Government may, in lieu of the rules referred to in sub-section (2) of section 386 of the Code of Criminal Procedure, 1898, make rule under this Ordinance regulating the manner in which warrants under clause(a) of sub section (1) of the said section of the said Code are to be executed, and for the summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrant ; or (b) as arrears of land revenue.
95	The Central Excises and Salt Act, 1944	Section 11 ..	In respect of duty and any other sums of any kind payable to the Central Government under any of the provisions of this Act, or of the rules made thereunder, the officer empowered by the Central Board of Revenue to levy such duty or require the payment of such sums may deduct the amount so payable from any money owing to the person from whom such sums may be recoverable or due which may be in his hands or under his disposal or control, or may recover the amount by attachment and sale of excisable good belonging to such person; and if the amount payable is not so recovered he may prepare a certificate signed by him specifying the amount due from the person liable to pay the same and send it to the Collector of the district in which such person resides or conducts his business and the said Collector, on receipt of such certificate, shall proceed to recover from the said person the amount specified therein as if it were an arrear of land revenue.
96	The Public Debt (Central Government) Act, 1944	Section 14(1) ..	For the purpose of making any order which it is empowered to make under this Act the Bank may request a District Magistrate or in an Acceding State or a non-Acceding State the Political Agent to record or to have recorded the whole or any part of such evidence as any person whose evidence the Bank requires may produce. A District Magistrate so requested may himself record, or may direct any Magistrate of the first class subordinate to him or any Magistrate of the second class subordinate to him and empowered in this behalf by general or special order of the Provincial Government to record the evidence, and shall forward a copy thereof to the Bank.
		Section 14(3) ..	A Magistrate or an officer of the Bank acting in pursuance of this section may administer an oath to any witness examined by him.
97	The Merchant Seamen (Litigation) Act, 1946	Section 4 ..	If any Collector has reason to believe that any seaman who ordinarliy resides or has property in his district and who is a party to any proceeding pending before any Court, is unable to appear therein or is a serving seaman, the Collector may certify the facts in the prescribed manner to the Court.

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Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
98	The Foreigners Act, 1946 ..	Section 6(2) ..	Any District Magistrate and any Superintendent of Police, may, for any purpose connected with the enforcement of this Act or any order made thereunder, require the master of any such vessel or the pilot of any such aircraft to furnish such information as may be prescribed in respect of passengers or members of the crew on such vessel or aircraft, as the case may be.	
		Section 7(3) ..	The keeper of every such premises shall maintain a record of the information furnished by him under sub-section (1) and of the information obtained by him under sub-section (2) and such record shall be maintained in such manner and preserved for such period as may be prescribed, and shall at all times be open to inspection by any police officer or by a person authorised in this behalf by the District Magistrate.	
99	The Prevention of Corruption Act, 1947.	Section 3 ..	An offence punishable under section 161 or section 165 of the Pakistan Penal Code shall be deemed to be a cognizable offence for the purposes of the Code of Criminal Procedure, 1898, notwithstanding anying to the contrary contained therein: Provided that a police officer below the rank of Deputy Superintendent of Police shall not investigate any such offence without the order of a Magistrate of the first class or make any arrest therefor without a warrant.	
		Section 5(4) ..	Notwithstanding anything contained in the Code of Criminal Procedure, 1898, a police officer below the rank of Deputy Superintendent of Police shall not investigate any offence punishable under sub-section 2 without the order of a Magistrate of the first class or make any arrest therefor without a warrant.	
100	The Antiquities (Export Control) Act, 1947.	Section 5(2) ..	No Court shall take cognizance of an offence punishable under this section except upon complaint in writing made by an officer generally or specially authorised in this behalf by the Central Government, and no Court inferior to that of a Magistrate of the first class shall try any such offence.	

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101	The Transfer of Property (Pakistan) Ordinance, 1947	Section 4 ..	If any right, title or interest in any property whether moveable or immoveable, other than agricultural land, is or has been tarnsferred, assigned, limited or extinguished after the 14th day of August, 1947, an Income-tax Officer may at any time issue a notice to all or any of the parties to the transaction requiring them to produce within one month the certificate prescribed by section 3; and if such certificate is not produced he may forward a statement to the Collector showing the existing and anticipated tax liabilities of each or any of the said parties. The Collector shall then proceed to recover the total amount shown in the statement as if it were an arrear of land revenue, and for the purpose of the recovery proceedings he may treat the said property as if it belonged to all or any of the persons named in the statement.
102	The Essential Personnel (Registration) Ordinance, 1948	Section 4 (2) ..	In cases where it is not feasible for the essential personal to all in person at the Employment Exchange to get registered they may submit by registered (acknowledgment due) post their particulars for registration on the form prescribed in Schedule II, to (b) the District Magistrate of the district in which they reside.
103	The Pakistan (Exchange of Prisoners) Ordinance, 1948	Section 6(1) ..	If in relation to any criminal matter pending before a Court in the Dominion of India against any transferable prisoner who has been transferred to that Dominion under this Part, a letter of request issued by such Court if produced before the District Magistrate of any district in Pakistan for the examination of any witness residing in such district, the District Magistrate shall issue a commission for the purpose to any Magistrate subordinate to him.
		Section 6(3) ..	When the commission has been duly executed it shall be returned, together with the evidence taken under it to the District Magistrate, and the District Magistrate shall then transmit the papers so received along with the letter of request, to the issuing Court, through such channel as may be prescribed.
		Section 7(1) ..	The Provincial Government or any District Magistrate, Additional District Magistrate or Sub-Divisional Magistrate specially authorised in this behalf by the Provincial Government may issue warrants for the custody and removal of repatriated prisoners.
		Section 7 (2) ..	A warrant under sub-section (1) may be directed to an official, by name or designation of office, and shall specify the place at which custody of the repatriated prisoner, together with any property and documents which may have been sent along with him, shall be received, and the prison to which he is to be removed.

Serial No.	Act, Ordinance	Section	Nature and extent of powers	s
1	2	3	4	5
103—*concld.*	The Pakistan (Exchange of Prisoners) Ordinance, 1948—*concld.*	Section 9(1)	Upon receipt of a report under clause (b) of section 8, the District Magistrate shall, with all convenient speed, procure the records (including judicial records) relating to such prisoner, and after such enquiry as he deems necessary, shall determine the nature and terms of the detention which such prisoner was undergoing immediately before his repatriation, and shall draw up a warrant accordingly, committing such prisoner to the prison where he is detained for the balance of such term, or until further orders are received from any Court or authority having jurisdiction in the case.	
		Section 9 (2) ..	Such warrant of commitment shall be forwarded to the Officer-in-Charge of the said prison and the District Magistrate shall, at the same time, forward the original record, or a complete copy of his proceedings to the High Court.	
		Section 9(3) ..	If any enquiry under sub-section (1) is prolonged beyond a period of two months from the date on which the repatriated prisoner was received at the prison, the District Magistrate shall release such prisoner on bail, unless he has reason to believe that such prisoner has been convicted of a prescribed offence and is undergoing a sentence of which the balance exceeds two years.	
		Section 9 (4) ..	The bail bond required under sub-section (3) may be with or without sureties and shall be in such form as may be prescribed.	
104	The West Punjab Special Tribunal (Abolition) Act, 1948	Section 4 ..	The District Magistrate of Lahore or any other Magistrate subordinate to him to whom any of the cases may be transferred by him, shall have all the powers vested in a Special Tribunal under section 6 of the Criminal Law Amendment Ordinance, 1943.	
		Section 5 ..	The District Magistrate of Lahore, or the Magistrate to whom any of the cases is transferred by him, shall proceed with the hearing of the cases from the stage each of the cases has reached and he shall not be bound or recall or rehear any witness. The evidence recorded and all the proceedings held before the Special Tribunal shall be treated as if they had been recorded or held in the Court of the District Magistrate of Lahore or the Magistrate to whom the case is transferred by him, as the case may be.	

	The Hoarding and Black Market Act, 1948	Section 9 (1) ..	Whenever a District Magistrate or a Magistrate of the first class specially empowered in this behalf, has information that there is within the limits of his jurisdiction any person who within or without such limitis transprts foodstuff in contravention of an order made or deemed to have been made under the Essential Supplies (Temporary Powers) Act, 1946, he may, if in his opinion there is sufficient ground for proceeding, require such person to show cause why he should not be ordered to execute a bond with or without sureties for his good behaviour for such period not exceeding one year as the Magistrate thinks fit to fix, and upon the execution of such bond the provisions of Chapters VIII and XLII of the Code of Criminal Procedure, 1898, shall apply to the case.	
		Section 12(2) ..	The Government may by order direct that in case of trials other than trials before a Special Judge the powers conferred upon it by sub-section (1) shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercised by District Magistrate.	
106	The Sales Tax Act, 1951 ..	Section 13(1) ..	The Sales Tax Officer may forwarded to the Collector a certificate under his signature specifying the amount of arrears due from an assessee, and the Collector, on receipt of such certificate, shall proceed to recover from such assessee the amount specified therein as if it were an arrear of land revenue: Provided that without prejudice to any other powers of the Collector in this behalf he shall for the purpose of recovering the said amount have the powers which under the Code of Civil Procedure, 1908, civil court has for the purpose of the recovery of an amount due under a decree.	
		Section 24 ..	Any person who— (a) fails to submit an application for a licence as required by section 8 ; (b) fails to keep records and books of account and documents as required by section 19 ; (c) destroys, alters or mutilates records or books of account or documents kept pursuant to section 19 in order to evade payment of the proper amount of tax; (d) withholds from inspection by the Sales Tax Officer of records, books of account of documents, kept pursuant to section 19 ; (e) prevents or obstructs the Sales Tax Officer from entry into premises or from seizing records, books or other documents in contravention of section 22; (f) wilfully acts in contravention of any of the provisions of this Act ; shall, on conviction by a magistrate of the first class, be liable to a fine which may extend to one thousand rupees and where the offence is a continuing one, to a further fine which may extend to fifty rupees for every afty arter the first during which the offence continues.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
106—contd.	The Sales Tax Act, 1951—concld.	Section 25 ..	If a person submit s a return under section 10 which is false and which he either knows or believes to be false, or does not believe to be true, he shall, be punishable on conviction before a magistrate of the first class with imprisonment which may extend to three years and shall also be liable to fine.	
107	The Karachi Indecent Advertisement Prohibition Act, 1951	Section 7 ..	Whenever a District Magistrate, Sub-Divisional Magistrate or any Magistrate of the First Class or any other officer authorised in this behalf by the Central Government has reason to believe that an indecent advertisement or anything containing an indecent advertisement has been or is being or is intended to be printed, published, distributed or exhibited in contravention of section 3 he may by order in writing authorise any police officer not below the rank of sub-Inspector to seize, remove, deface or destroy the same, and to use such force as may be required and to enter such place it may be necessary to enter in order to effect the seizure, removal, defacement or destruction.	
108	The Karachi Control of Disorderly Persons Act, 1952.	Section 15 ..	(1) Every bond furnished in compliance with an order made by the tribunal under this Act shall be in the form prescribed by the Code of Criminal Procedure, 1898, for a bond of the same description: Provided that the Tribunal may direct that the sureties offered may be scrutinised by a Magistrate of the first class nominated for the purpose by the Collector and District Magistrate;	
109	The Pakistan Army Act, 1952..	Section 109(7) ..	If any such document is, in the opinion of any other Magistrate or of any Commissioner of Police or District Superintendent of Police, wanted for any such purpose, he may require the postal or telegraph authorities as the case may be, to cause search to be made for and to detain such, document pending the orders of any such District Magistrate, High Court or court of session.	
		Section 110 (6) ..	The Magistrate or the officer to whom the commission is issued, or, if he is the District Magistrate, he, or such Magistrate, of the first class as he appoints in this behalf, shall proceed to the place where the witness is,	

			or shall summon the witness before him, and shall take down his evidence in the same manner, and may for this purpose exercise the same powers, as in trials of warrant cases under the Code of Criminal Procedure, 1898.	
		Section 110(7) ..	Where the commission is issued to an officer exercising the powers of a District Magistrate in or in relation to an area mentioned in sub-section (3) or to such officer as is mentioned in sub-section (4) he may, in lieu of proceeding in the manner provided in sub-section (6), delegate his powers and duties under the commission to any officer subordinate to him whose powers are not less than those of a magistrate of the first class in Pakistan.	
110	The Prevention of Smuggling Act, 1952.	Section 7 ..	Notwithstanding any thing contained in the Code of Criminal Procedure, 1898, it shall be lawful for any Magistrate of the First Class specially empowered by the Provincial Government in this behalf to pass a sentence of imprisonment for a term exceeding two years and of fine exceeding one thousand rupees on any person convicted of contravening any provision of section 3.	
111	The Pakistan Air Force Act, 1953.	Section 134 (2) ..	If any document in such custody is, in the opinion of any District Magistrate, High Court or Court of Session, wanted for the purpose of any court-martial, such magistrate or court may require the postal or telegraph authorities, as the case may be, to deliver such document to such person as such Magistrate or court may direct.	
		Section 134 (3) ..	If any such document is, in the opinion of any other magistrate or of any commissioner of police or District Superintendent of police, wanted for any such purpose, he may require the postal or telegraph authorities, as the case may be, to cause search to be made for and to detain such documents pending the orders of any such District Magistrate, High Court or Court of Session.	
		Section 136 (1) ..	The magistrate or the officer to whom the commission is issued, or, if he is the District Magistrate, he, or such magistrate of the first class as he appoints in this behalf, shall proceed to the place where the witness is, or shall summon the witness before him, and shall take down his evidence in the same manner, and may for this purpose exercise the same powers, as in trials of warrant cases under the Code of Criminal Procedure, 1898.	
112	The Charitable Funds (Regulation of corrections) Act, 1953	Section 12 ..	Any person who acts in contravention of any of the provisions of this Act or the rules made thereunder or of any order made, direction given or condition imposed under this Act shall be punished with imprisonment of either description for a term which may extend to six months or with fine or with both.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
112—*concld.*	The Charitable Funds (Regulation of Collections) Act, 1953. *concld.*	Section 14 ..	No prosecution under this Act shall be commenced except with the previous sanction of the District Magistrate.	
113	The Martial Law (Indemnity) Act, 1953.	Section 7 (3) ..	Every sentence of imprisonment passed by such court or authority as aforesaid which was not put into execution during the martial law period and which has not been annulled under section 8, may be put into execution under the warrant of the District Magistrate of Lahore and such sentence shall be deemed to commence on the date on which the person under sentence is received into the prison to which he is committed by such warrant and shall continue to run until the sentence reduced by remissions, if any, earned under the rules applicable to the serving of such sentence, is served or until he is released by order of the Central Government.	
		Section 7 (4) ..	Every sentence of fine passed by such court or authority as aforesaid which was not carried out during the martial law period and which is not reduced remitted or annulled under section 8 may be carried out by the District Magistrate of Lahore in the manner laid down in the Code of Criminal Procedure, 1898, as if it were a sentence of fine imposed by him under the said code.	
114	The Finance Act, 1956 ..	Section 14(8) ..	If the person to whom a notice under sub-section (4) is sent fails to make payment in compliance therewith to the Sales Tax Officer, the notice issued by the Sales Tax Officer shall have the same effect as an attachment by the Collector in exercise of his powers under the proviso to sub-section (1) and further proceedings may be taken by and before the Collector accordingly.	
115	The Jute Act, 1957 ..	Section 9 ..	If on a representation in writing made by a person authorised in this behalf by the Central Government, a District Magistrate, Sub-Divisional Magistrate, or Magistrate of the First Class has reason to believe that a contravention of any of the provisions of this Act has been or is being or is about to be committed in any place, he may by warrant authorise any police officer not below the rank of Sub-Inspector—	

			(*a*) to enter and search any place in the manner specified in the warrant; and (*b*) to seize any books or other documents found in or on such place which should have been produced in compliance with a requisition issued under sub-section (2) of section 8 or which the police officer has reason to believe to contain the information required to be furnished under that sub-section. *Explanation*—In this section, "place" includes a house, building, tent, vehicle, vessel or aircraft.	
116	The Cotton Act 1957 ..	Section 11(3) ..	If, on a respresentation in writing, made by a person authorised in this behalf by the Central Government, a District Magistrate, Sub-Divisional Magistrate, or Magistrate of the First Class has reason to believe that a contravention of any of the provisions of this Act has been, or is being or is about to be committed in any place, he may by warrant authorise any police officer not below the rank of Sub-Inspector— (*a*) to enter and search any place in the manner specified in the warrant; and (*b*) to seize any books or other documents found in or on such place which should have been produced in compliance with a requisition issued under sub-section (2) or which the police officer has reason to believe to contain the information required to be furnished under that sub-section. In this sub-section, "place" includes a house, building, tent, vehicle, vessel or aircraft.	
117	The Census Ordinance, 1959 ..	Section 4(*i*)(*iiii*) ..	The Central Government may appoint— (*iii*) Census Officers to take aid in or supervise the taking of, census within any specified area.	
		Section 6 ..	Power to call upon certain persons to give assistance—The District Magistrate, or any Census Officer appointed under clause (*iii*) of sub-section (1) of section 4 for any local area and authorized by rules in this behalf, may, by order in writing, call upon— (*a*) owners and occupiers of land, farmers, tenure holders and assignees of land revenue or their agents ; (*b*) members of municipal, district, local or union boards panchayats, and other local authorities and officers and servants thereof; and	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
117—*concld.*	The Census Ordinance, 1959 —*concld.*	Section 6 ..	(*c*) school teachers, government servants and literate persons of good repute for the time being residing in the area concerned ; to work as enumerators, or perform any other duties of a Census Officer, or to give such assistantce as may be specified in the order towards the taking of census of persons who are at the time of the taking of census, on the lands of such owners, occupiers, farmers, tenure holders or assignees, or within the areas which such members represent or for which such local authorities are established,or as the case may be in which such teachers, government servants or literate persons are themselves residing, and the persons to whom an order under this section is directed shall be bound to obey the same.	
118	The Press and Publications Ordinance, 1960.	Section 4 ..	Keeper of printing press to make declaration— (1) No person shall keep in his possession any press for the printing of books or papers, unless he has made and subscribed before the District Magistrate within whose local jurisdiction such press may be, a declaration in Form A or such other form as may be prescribed. (2) As often as the place where a printing-press is kept is changed, a fresh declaration shall be necessary; Provided that where the change is for a period not exceeding sixty days and the place to which the printing-press is shifted is within the jurisdiction of the same District Magistrate no fresh declaration shall be necessary if,— (*a*) the keeper of the press continues to be the same; and (*b*) within twenty-four hours of the change, the keeper of the press informs the District Magistrate in writing of the change.	

		Section 7 ..	Declaration of the printer and publisher—The printer and the publisher of every newspaper shall appear in person or by agent authorized in this behalf in accordance with the rules, before the District Magistrate within whose local jurisdiction such newspaper shall be printed or published and shall make and subscribe, in triplicate originals, a declaration in Form B or in such other form as may be prescribed.	
		Section 9 (5) ..	Nothing in sub-section (*i*) of sub-section (3) shall apply in the case of a printer and publisher, who, within the period stated in those sub-section and applicable to the particular case, show to the satisfaction of the District Magistrate that the newspaper has not been or cannot be published for reasons which are beyond their control. *Explanation*—If a publisher fails to bring out any issue or issues of the newspaper as required by the periodicity mentioned in the declaration, and produces a combined issue, such combined issue shall for the purpose of this section be regarded as one issue irrespective of the serial numbers given on it.	
		Section 10 ..	Effect of change of language periodicity or place of publication—If at any time after the making of a declaration under section 7, the newspaper to which the declaration relates is printed or published in a language, with a periodicity or at a place, other than the language or languages, periodicity or place shown in the declaration, the declaration shall become null and void, and any further printing and publication of the newspaper shall be unauthorised unless a fresh declaration under section 7 is made, but nothing in this section shall apply to a temporary change of the place of printing or publication for a period not exceeding fifteen days at any one time, if within twenty-four hours of such temporary change the District Magistrate is informed of it in the manner prescribed.	
		Section 11 ..	Effect, if printer or publisher leaves Pakistan—If at any time the printer or the publisher who has made a declaration under section 7 leaves Pakistan the declaraton shall become null and void unless,— (*i*) the absence of the printer or the publisher from Pakistan be for a period not exceeding three months, and (*ii*) the printer or the publisher before leaving Pakistan, informs, in writing, the District Magistrate within whose jurisdiction the newspaper is printed or published, of his intended absence and the name of the person who has undertaken to discharge, in his absence and on his behalf, the responsibilities of the printer or the publisher, and furnishes to the District Magistrate a statement, in writing, of that person accepting those responsibilities.	

1	Act/Ordinance	Section	Nature and extent of powers	Remarks
	2	3	4	5
contd.	The Press and Publication Ordinance, 1960.—*contd.*	Section 12 ..	*Authentication of the declaration*—(*i*) Subject to the provisions of sub-section (2), each of the triplicate originals of every declaration made and subscribed under section 7 shall be authenticated by the signature and official seal of the District Magistrate before whom the said declaration is made. (2) The District Magistrate shall not authenticate the declaration unless he is satisfied that— (*a*) the proprietor of the newspaper if he himself is not the printer or the publisher has authorized the making of such declaration ; (*b*) the title of the newspaper proposed to be published is not the same as the title of any newspaper already being published in the same language at any place in the same Province, not being a newspaper of different periodicity published by the same publisher or another edition of the same newspaper published from another place ; (*c*) the printer or the publisher was not convicted of an offence involving moral turpitude within five years before the date of his making and subscribing a declaration under section 7; (*d*) the publisher has the financial resources required for regularly publishing the newspaper ; (*e*) the editor possesses reasonable educational qualifications or has had adequate training or experience in Journalism; and (*f*) the printer or publisher is a person about whom the Government is satisfied, on the basis of information in its possession, that he is not likely to act in a manner prejudicial to the defence or external affairs or security of Pakistan.	

		Section 16 ..	New declaration by persons who have signed declaration and subsequently ceased to be printers or publishers. Every person who having subscribed a declaration under section 7 subsequently ceases to be the printer or publisher of the newspaper mentioned in such declaration shall appear, in person or by agent authorised in this behalf in the manner prescribed, before the District Magistrate, and make and subscribe in triplicate originals a declaration in Form C or such other form as may be prescribed.	
		Section 17 ..	*Authentication and filing of declaration under section 16*—Each of the triplicate originals of the declaration made under section 16 shall be authenticated by the signature and seal of the District Magistrate before whom it is made and one such original shall be filed along with each original of the declaration under section 7.	
		Section 20 ..	Person whose name has been incorrectly published as editor may make a declaration before a Magistrate. (*i*) If any person, whose name has appeared as editor on a copy of a newspaper, claims that he was not the editor of the issue on which his name has so appears he may, within two weeks of his becoming aware that his name has been so published, appear before a District Magistrate and make a declaration that his name was incorrectly published in that issue as that of the editor thereof, and if the District Magistrate after making such inquiry, or causing such inquiry to be made as he considers necessary is satisfied that such declaration is true, he shall certify accordingly, and on that certificate being given the provisions of section 15 shall not apply to that person in respect of that issue of the newspaper. (2) The District Magistrate may extend the period allowed by this section in any case where he is satisfied that such person was prevented by sufficient cause from appearing and making the declaration within that period.	
		Section 2 (1) ..	*Deposit of security by keepers of printing presses*—(1) Whenever it appears to the Government that any printing-press is used for the purpose of printing or publishing any book or paper containing any words, signs or visible representations of the nature described in sub-section (1) of section 23, the Government may, by notice in writing to the keeper of the press stating or describing such words signs or visible representations' order the keeper to deposit with the District Magistrate within whose jurisdiction the press is situated security to such an amount, not being less than five hundred or more than ten thousand rupees as the Government may think fit to require, in money or the equivalent thereof in securities of the Central Government as the person making the deposit may choose.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
18—*contd.*	The Press Publication Ordinance, 1960—*contd.*	Section 24 ..	*Deposit of further security*—(1) Where a declaration in respect of any press is annulled under sub-section (3) of section 23, every person making a fresh declaration in respect of such press under section 4, shall deposit with the District Magistrate before whom such declaration is made security to such an amount not being less than one thousand or more than ten thousand rupees, as the District Magistrate may think fit to require, in money or the equivalent thereof in securities of the Central Government as the person making the deposit may choose. (2) Where a portion only of the security given in respect of such press has been declared forfeited under section 23 any unforfeited balance still in depsosit shall be taken as part of the amount of security required under sub-section (1).	
		Section 26 ..	Deposit of security by publisher of the newspaper. (1) Whenever it appears to the Government that newspaper published within Pakistan contains any words, signs or visible representations of the nature described in sub-section (1) of section 23, the Government may, by notice in writing to the publisher of such newspaper, stating or describing such words, signs or visible representations, require the publisher to deposit with the District Magistrate within whose jurisdiction the newspaper is published, security to such an amount, not being less than five hundred or more than ten thousands rupees, as the Government may think fit to require, in money or the equ.valent thereof in securities of the Central Government as the person making the deposit may choose. (2) No notice under sub-section (1) demanding security shall be issued unless a reference in the prescribed manner has been made to the Sessions Judge within whose jurisdiction the newspaper is published, and the Session Judge, after hearing such person and taking such evidence, if any, as he thinks necessary, has expressed the opinion that the words, signs or visible representations are of the nature described in sub-section (1) of section 23. (3) Such notice, if any, shall appoint a date, not being sooner than the tenth day after the date of the issue of the notice, on or before which the deposit shall be made.	

	Section 28 ..	Deposit of further security (1) where the security given in respect of any newspaper, or any portion thereof, is declared forfeited under section 27 or section 29, any person making a fresh declaration under section 7 as publisher of such newspaper, or any other newspaper which is the same in substance as the said newspaper, shall deposit with the District Magistrate before whom the declaration is made security to such an amount, not being less than one thousand or more than ten thousand rupees, as the District Magistrate may think fit to require, in money or the equivalent thereof in securities of the Central Government as the person making the deposit may choose. (2) Where a portion only of the security given in respect of such newspaper has been declared forfeited under section 27 or section 29, any unforfeited balance still in deposit shall be taken as part of the amount of security required under sub-section (1).
	Section 31 ..	*Return of deposited security*—Where any person has deposited any security under this Ordinance and ceases to keep the press in respect of which such security was deposited, or, being a publisher, makes a declaration under section 16, he may apply to the District Magistrate within whose jurisdiction such press is situated for the return of the said security; and thereupon such security shall, upon proof to the satisfaction of the District Magistrate and subject to the provisions hereinbefore contained, be returned to such person.
	Section 32 ..	*Issue of search warrant*—Where any printing press is, or any copies of any book or paper are, declared forfeited to the Government under section 23, section 25 or section 27, the Government may direct a District Magistrate to issue a warrant empowering any police-officer, not below the rank of Sub-Inspector, to seize and detain any property ordered to be forfeited and to enter upon and search for such property in any premises— (*i*) where any such property may be or may be reasonably suspected to be, or (*ii*) where any copy of such book or paper is kept for sale, distribution, publication or public exhibition or is reasonably suspected to be so kept.
	Section 33 ..	*Authorization of persons to publish new sheets*—(1) District Magistrate may, by order in writing and subject to such conditions as he may think fit to impose., authorize any person by name to publish a news-sheet or to publish news-sheets from time to time. (2) A copy of an order under sub-section (1) shall be furnished to the person thereby authorized.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
18—*concld.*	The Press Publication Ordinance 1960—*concld.*		(3) The District Magistrate may at any time revoke an order made by him under sub-section (1)	
		Section 34 ..	(2) Any District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class may by warrant authorize any police-officer not below the rank of Sub-Inspector to enter upon and search any place where any stock of unauthorized news-sheets or unauthorized newspapers may be or may be reasonably suspected to be, and such police-officer may seize any documents found in such place which, in his opinion, are unauthorized news-sheets or unauthorized newspapers. (3) All documents seized under sub-section (1) shall be produced as soon as may before a District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class, and all documents seized under sub-section (2) shall be produced as soon as may be before the court of the Magistrate who issued the warrant. (4) If in the opinion of such Magistrate or Court, any of such documents are unauthorized news-sheets or unauthorized newspapers, the Magistrate or Court may cause them to be destroyed ; but if, in the opinion of such Magistrate or Court, any of such documents are not unauthorized news-sheets or unauthorized newspapers, such Magistrate or Court shall dispose of them in the manner provided in sections 523, 524 and 525 of the Code of Criminal Procedure 1898 (Act V of 1898).	
		Section 35 ..	Power to seize and forfeit undeclared presses producing unauthorized news-sheets and newspapers.—(1) Where a District Magistrate or Sub-Divisional Magistrate has reason to believe that an unauthorized news-sheet or unauthorized newspaper is being produced from an undeclared press within the limits of his jurisdiction, he may by warrant authorize any police-officer not below the rank of Sub-Inspector to enter upon and search any place wherein such undeclared press may be or may be reasonably suspected to be, and if, in the opinion of such police-officer, any press found in such place is an undeclared press and is used to produce an unauthorized news-sheet or unauthorised newspaper, he may seize such press and any documents found in the place which in his opinion are unauthorised newspapers.	

			(2) The police-officer shall make a report of the search to the Court which issued the warrant and shall produce before such Court, as soon as may be, all property seized ; Provided that where any press which has been seized cannot be readily removed, the police officer may produce before the Court only such part thereof as he may think fit. (3) In such Court, after such inquiry as it may deem requisite, is of opinion that a press seized under this section is an undeclared press which is used to produce an unauthorised news-sheet or unauthorized new spaper, it may by order in writing, declare the press to be forfeited to the Government but if, after such inquiry, the Court is not of such opinion, it shall dispose of the press in the manner provided in sections 523, 524 and 525 of the Code of Criminal Procedure, 1898 (Act V of 1898). (4) The Court shall deal with the documents produced before it under this section in the manner provided in sub-section (4) of section 34.	
		Section 36 ..	*Power to declare certain publications forfeited and to issue search warrants for same*—Where any book or paper wherever made appears to the Government to contain any words, signs or visible representations of the nature described in sub-section (1) of section 23, the Government may, by notification in the official Gazette, stating the grounds of its opinion, declare all copies of such book or paper to be forfeited to the Government and thereupon any police-officer may seize the same wherever found in Pakistan, and the District Magistrate may by warrant authorize any police officer not below the rank of Sub-Inspector to enter upon and search for the same in any premises where any copy of such book or paper may be or may be reasonably suspected to be.	
119	The Capital Development Authority Ordinance 1960	Section 23 ..	*Entry upon land, preliminary survey, etc.*—It shall be lawful for the Authority, and any member thereof, and for the Deputy Commissioner and any such person as may either generally or specially be authorised by the Authority, in this behalf:— (*a*) to enter upon and survey and take levels of any land ; (*b*) to dig or bore into the sub-soil; (*c*) to do all other acts necessary to ascertain whether land is adopted for the purposes of this Ordinance ; (*d*) to set out the boundaries of the land proposed to be acquired and the intended line of the work, if any, proposed to be made thereon ;	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
119—*contd.*	The Capital Development Authority Ordinance 1960—*contd.*	Section 23 ..	(*e*) to mark such levels, boundaries and line by placing marks and cutting trenches; and (*f*) where it is necessary for the purposes of the survey, taking of levels or marking of line, to cut down and clear away any part of any standing crop, fence or jungle.	
		Section 24 ..	*Compensation for damage*—Where any damage is caused to any land in consequence of anything done in pursuance of section 23, there shall be paid compensation, the amount of which shall be determined in the manner and in accordance with the provisions hereinafter set out, that is to say,— (*a*) where the amount of compensation can be fixed by agreement, it shall be fixed in accordance with such agreement ; and (*b*) where no such agreement can be reached, it shall be fixed by the Deputy Commissioner.	
		Section 25 ..	Power to acquire land (1) Subject to the other provisions of this Ordinance, the rules made thereunder, and the directions of the Authority the Deputy Commissioner may, by order in writing, acquire any land for the purposes of this Ordinance. (2) No order under sub-section (1) shall be issued except on the receipt by the Deputy Commissioner of specific directions from the Authority.	
		Section 26 ..	*Land to be marked out measured and planned*—Where any land is proposed to be acquired under section 25, the Deputy Commissioner shall cause the land (unless it has been already marked out) to be marked out and measured, and if no plan has been made thereof a plan to be made of the same.	
		Section 27 ..	*Notice to persons interested*—(1) The Deputy Commissioner shall then cause public notice to be given at convenient places on or near the land to be taken, stating that the Central Government intends to take possession of the land, and that claims to compensation for all interests in such land may be made to him.	

			(2) Such notice shall state the particulars of the land so needed and shall require all persons interested in the land to appear personally or by agent before the Deputy Commissioner at a time and place therein mentioned (such time not being earlier than ten days after the date of publication of the notice), and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for such interests, and their objections, if any, to the measurements made under section 23, and the Deputy Commissioner may require any such statement to be made in writing and signed by the party or his agent. (3) The Deputy Commissioner shall also serve notice to the same effect on the occupier, of any, of such land and on all such persons known or believed to be interested therein, or to be entitled to act for persons so interested.	
		Section 28 ..	*Enquiry and award by Deputy Commissioner*—On the day so fixed, or on any other day to which the enquiry has been adjourned, the Deputy Commissioner shall proceed to enquire into the objections, if any, which any person interested has stated pursuant to the notice given under section 27, and into the market value of the land and into the respective interests of the persons claiming the compensation, and shall make an award of— (*i*) the true area of the land ; (*ii*) the Compensation which in his opinion should be allowed for the land ; and (*iii*) the appointment of such compensation among all the persons known or believed to be interested in the land of whom or of whose claim, he has information, whether, or not they have appeared before him.	
		Section 29 ..	*Compensation*—Where any land is acquired under this Ordinance there shall be paid compensation; the amount of which shall be determined by the Deputy Commissioner who shall be guided by the provisions of section 30 and 31.	
		Section 30 ..	*Matter to be considered in determining compensation*—(*i*) In determining the amount of compensation to be awarded for land acquired under this Ordinance the Deputy Commissioner shall take into consideration :— first, the market value of the land; secondly, the damage sustained by the person interested, by reasons of dispossession of any standing crops or trees which may be on the land ;	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	
119—*contd.*	The Capital Development Authority Ordinance, 1960—*concld.*	Section 30—*concld.*	thirdly, the damage, if any sustained by the person interested at the time of taking possession of the land by reason of serving such land from his other land ; fourthly, the damage, if any, sustained by the person interested at the time of taking possession of the land by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings; and fifthly, if, in consequence of the acquisition of the land the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change. (2) In addition to the value of the land determined as aforesaid, the Deputy Commissioner shall in every case award a sum of fifteen per centum on such value in consideration of the compulsory nature of the acquisition.	
		Section 31 ..	*Factors to be ignored in determining compensation*—In determining compensation as aforesaid, the Deputy Commissioner shall not take into consideration— first, the degree of urgency which has led to the acquisition ; secondly, any disinclination of the person interested to part with the land acquired ; thirdly, any damage sustained by him which, if caused by a private person would not render such person liable to a suit; fourthly, any increase likely to accrue to the value of the land acquired from the use to which such land will be put on acquisition; and	

			fifthly, any increase likely to accrue to the value of the other land of the person interested from the use to which the land acquired will be put.	
		Section 33 ..	*Acquisition in cases of urgency*—In case of urgency, the Deputy Commissioner may immediately after the publication of the notice mentioned in sub-section (1) of section 27 enter upon and take possession of the land which shall thereupon vest absolutely in the Central Government free from all encumbrances: Provided that the Deputy Commissioner shall not take possession of any building or part of building under this section without giving to the occupier thereof at least twenty-four hours' notice of his intention so to do or such longer notice as may be reasonably sufficient to enable such occupier to remove his movable property from such building without unnecessary inconvenience.	
		Section 34 ..	*Power of Deputy Commissioner to call for information*—With a view to acquiring any land or determining any compensation therefor or to carrying out any other purpose of this Ordinance, the Deputy Commissioner may— (*a*) require any person, by order in writing, to furnish such information in his possession relating to any land as may be specified in the order; (*b*) enter or authorize any person to enter upon any land and take such action as may be necessary.	
		Section 35 ..	*Power of Authority to give directions to Deputy Commissioner*—The Authority may give direction to the Deputy Commissioner as respects the exercise of his powers and the discharge of his functions under this Chapter and the Deputy Commissioner shall be guided by, and act in accordance with such directions.	
120	The Protection of Offenders Ordinance, 1960.	Section 3 ..	*Courts empowered under the Ordinance*—(1) The following courts shall be the courts empowered to exercise powers under the Ordinance, namely— (*a*) a High Court; (*b*) a Court of Sessions; (*c*) a District Magistrate; (*d*) a Sub-Divisional Magistrate; (*e*) a Magistrate of the 1st Class; and (*f*) any other magistrate specially empowered in this behalf.	

Serial No.	Act/Ordinance	Section/Para	Nature and extent of power	Remarks
1	2	3	4	5
120—*contd.*	The Protection of Offenders Ordinance, 1960—*contd.*	Section 3—*concld.*	(2) A Court may exercise powers under this Ordinance, whether the case comes before it for original hearing or on appeal or in revision. (3) Where any offender is convicted by a Magistrate not empowered to exercise powers under this Ordinance, and such Magistrate is of opinion that the powers conferred by section 4 or section 5 should be exercised, he shall record his opinion to that effect and submit the proceedings to a Magistrate of the 1st Class or a Sub-Divisional Magistrate forwarding the offender to him, or taking bail for appearance before him, and such Magistrate may thereupon pass such sentence or make such order as he might have passed or made if the case had originally been heard by him, and, if he thinks further inquiry or additional evidence on any point to be necessary, he may make such inquiry or take such evidence himself or direct such inquiry or evidence to be made or taken.	
		Section 4 ..	*Conditional discharges, etc.*—(1) Where a court by which a person, not proved to have been previously convicted, is convicted of an offence punishable with imprisonment for not more than two years is of opinion, having regard to— (*a*) the age, character, antecedents or physical or mental condition of the offender, and (*b*) the nature of the offence or any extenuating circumstances attending the commission of the offence, that it is inexpedient to inflict punishment and that a probation order is not appropriate, the court may, after recording its reasons in writing, make an order discharging him after due admonition, or, if the court thinks fit, it may likewise make an order discharging him subject to the condition that he enters into a bond, with or without sureties, for committing no offence and being of good behaviour during such period not exceeding one year from the date of the order as may be specified therein. (2) An order discharging a person subject to such condition as aforesaid is hereafter in this Ordinance referred to as "as order for conditional discharge", and the period specified in any such order as "the period of conditional discharge".	

			(3) Before making an order for conditional discharge, the court shall explain to the offender in ordinary language that if he commits any offence or does not remain of good behaviour during the period of conditional discharge he will be liable to be sentenced for the original offence. (4) Where a person conditionally discharged under this section is sentenced for the offence in respect of which the order for conditional discharge was made, that order shall cease to have effect.	
		Section 5 ..	*Power of court to make a probation order in certain cases*.—(1) Where a court by which— (*a*) any male person is convicted of an offence not being an offence under Chapter VI or Chapter VII of the Pakistan Penal Code (Act XLV of 1960) or under section 216-A, 328, 382, 386, 387, 388, 389, 392, 393, 397, 398, 399, 401, 402, 455 or 458 of that Code, or an offence punishable with death or transportation for life, or (*b*) any female person is convicted of any offence other than an offence punishable with death, is of opinion that, having regard to the circumstances including the nature of offence and the character of the offender, it is expedient to do so, the court may, for reasons to be recorded in writing, instead of sentencing the person at once, make a probation order, that is to say, an order requiring him or her to be under the supervision of a probation officer for such period not being less than one year or more than three years, as may be specified in the order : Provided that the court shall not pass a probation order unless the offender enters into a bond, with or without sureties, to commit no offence and to keep the peace and be of good behaviour during the period of the bond and to appear and receive sentence if called upon to do so during that period : Provided further that the court shall not pass a probation order under this section unless it is satisfied that the offender or one of his sureties, if any, has a fixed place of abode or a regular occupation within the local limits of its jurisdiction and is likely to continue in such place of abode or such occupation, during the period of the bond. (2) While making a probation order, the court may also direct that the bond shall contain such conditions as in the opinion of the court may be necessary for securing supervision of the offender by the probation officer and also such additional conditions with respect to residence, environment, abstention from intoxicants and any other matter which the court may, having regard to the particular circumstances of the case, consider necessary for preventing a repetition of the same offence or a commission of other offences by the offender and for rehabilitating him as an honest, industrious and law-abiding citizen.	

Serial No.	Act/Ordinance	Section/Para	Nature and extent of power	REMARKS
1	2	3	4	5
120—*contd.*	The Protection of Offenders Ordinance, 1960—*contd.*	Section 5—*concld.*	(3) When an offender is sentenced for the offence in respect of which a probation order was made that probation order shall cease to have effect.	
		Section 6 ..	*Order for payment of costs and compensation*.—(1) A court directing the discharge of an offender under section 4 or making a probation order under section 5 may order the offender to pay such compensation or damages for loss or injury caused to any person by the offence and such costs of the proceedings as the court thinks reasonable : Provided that the amount of compensation, damages and costs so awarded shall in no case exceed the amount of fine which the court might have imposed in respect of the offence. (2) At the time of awarding compensation or damages in any subsequent civil suit or proceeding relating to the same offence, the court hearing such suit or proceeding shall taking to account any sum paid or recovered as compensation, damages or costs under sub-section (1). (3) The amount ordered to be paid under sub-section (1) may be recovered as fine in accordance with the provisions of section 386 and 387 of the Code.	
		Section 7 ..	*Failure to observe conditions of the bond*.—(1) If the court by which an offender is bound by a bond under section 5 has reason to believe that the offender has failed to observe any of the conditions of his bond, it may issue a warrant for his arrest or may, if it thinks fit, issue summons to the offender and his sureties, if any requiring them to appear before it at such time as may be specified in the summons. (2) The court before which an offender is brought or appears under sub-section (1) may either remand him to judicial custody until the case is heard or admit him to bail, with or without sureties, to appear on the date of hearing.	

			(3) If the court, after hearing the case, is satisfied that the offender has failed to observe any of the conditions of his bond, including any condition which may have been imposed under sub-section (2) of section 5, it may forthwith— (a) sentence him for the original offence, or (b) without—prejudice to the continuance inforce of the bond, imposed upon him a fine not exceeding one thousand rupees : Provided that the court imposing the fine shall take into account the amount of compensation, damages or costs ordered to be paid under section 6. (4) If a fine imposed under clause (*b*) of sub-section (3) is not paid within such period as the court may fix, the court may sentence the offender for the original offence.	
		Section 8 ..	*Powers of Court in appeal and revision*—Where an appeal or application for revision is made against conviction of an offence for which an order is made under section 4 or section 5 discharging the offender absolutely or conditionally replacing him on probation the appellate court or the courts sitting in revision may pass such order as it could have passed under the Code,or may set aside or amend the order made under section 4 or section 5 and in lieu thereof pass sentence authorized by law : Provided that the appellate court or the court sitting in revision shall not impose a greater punishment than the punishment which might have been imposed by the court by which the offender was convicted.	
		Section 10 ..	*Variation of conditions of probation*—(1) The court by which a probation order is made under section 5 may at any time, on the application of the person under probation or of the probation officer or of its own motion, if it thinks it expedient to vary the bond taken under that section, summon the person under probation to appear before it, and after giving him a reasonable opportunity of showing cause why the bond should not be varied, vary the bond by extending or reducing the duration thereof or by altering any other of its terms and conditions or by inserting additional conditions therein : Provided that in no case shall the duration of the bond be less than one year or more than three years from the date of the original order : Provided further that where the bond is with surety or sureties, no variation shall be made in the bond without the consent of the surety or sureties; and if the surety or sureties do not consent to the variation, the court shall require the person under probation to execute a fresh bond, with or without sureties.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
120—*concld.*	The Protection of Offenders Ordinance, 1960—*concld.*	Section 10—*concld.*	(2) Any such court as aforesaid may, on the application of any person under probation or of the probation officer or of its own motion, if satisfied that the conduct of the person under probation has been satisfactory as to render it unnecessary to keep him under supervision, discharge the probation order and the bond.	
		Section 11 ..	*Effects of discharge and probation*—(1) A conviction of an offence, for which an order is made under section 4 or section 5 for discharging the offender after the due admonition or conditionally or placing him on probation, shall be deemed not to be a conviction for any purpose other than the purposes if the proceedings in which the order is made and of any subsequent proceedings which may be taken against the offender under the provisions of this Ordinance : Provided that where an offender, being not less than eighteen years of age at the time of his conviction of an offence for which an order discharging him conditionally or placing him on probation is made, is subsequently sentenced under this Ordinance for that offence, the provisions of this sub-section shall cease to apply to the conviction. (2) Without prejudice to the foregoing provisions of this section, the conviction of an offender who is discharged after due admonition or conditionally, or who is placed on probation, shall in any event be disregarded for the purposes of any law which imposes any disqualification or disability upon convicted persons, or authorises or requires the imposition of any such disqualification or disability. (3) The foregoing provision of this section shall not affect— (*a*) any right of pay such offender to appeal (against his conviction, or to reply thereon in bar of any subsequent proceedings for the same offence ; (*b*) the revesting or restoration of any property in consequence of the conviction of any such offender.	
121	The Muslim Family Laws Ordinance, 1961.	Section 9 (2) ..	A husband or wife may, in the prescribed manner, within the prescribed period, and on payment of the prescribed fee, prefer an application for revision of the certificate, in the case of West Pakistan, to the Collector and, in the case of East Pakistan, to the Sub-Divisional Officer concerned and his decision shall be final and shall not be called in question in any court.	

122	The Bengal State-Prisoners Regulation, 1818.	Section 4 ..	*First*—When any State-prisoner is in the custody of a Zila*****Magistrate, the Judges**are to visit such State-prisoner on the occasion of the periodical sessions, and they are to issue any orders concerning the treatment of the State-prisoner which may appear to them advisible, provided they be not inconsistent with the orders of the Government issued on that head. *Second*—When any State-prisoner is placed in the custody of any public officer not being a Zila******1 Magistrate, the Government will instruct either the Zila ****1 Magistrate, or the Judge or any other public officer, not being the person in whose custody the prisoner may be placed, to visit such prisoner at stated periods, and to submit a report to Government regarding the health and treatment of such prisoner.
		Section 9 ..	Whenever the Provincial Government, for the reasons declared in the preamble to this Regulation, shall judge it necessary to attach the estates or lands of any zamindar, jagirdar, taluqdar, or other person, without any previous decision of a Court of Justice, or other judicial proceeding, the grounds on which Resolution of Government may have been adopted and such other information connected with the case as may appear essential shall be communicated, under the hand of one of the Secretaries to Government, to the Judge and Magistrate of the district in which the lands or estates may be situated and to the Sadardiwani Adalat and Nizamat Adalat.
123	The Punjab Frontier Grossing Regulation, 1873.	Section 2 ..	A warning for the purpose of this Regulation, if addressed to an individual, shall be in writing under the hand of the Commissioner of the division, or of the Magistrate of the district, within which such individual dwells or may be found, and shall be served upon him in such manner as the Central Government may from time to time prescribe ; if addressed to a class of persons or to the public generally, the previous sanction of the Central Government must be obtained, and this warning shall be notified in the Punjab Government Gazette, and be otherwise published in such manner as may be directed by the Central Government.
		Section 5 ..	If any person contravenes any such order, the Commissioner of the division or Magistrate of the district with which he is dwelling or may be found may cause him to be apprehended and detained in custody until he is released upon such conditions as the Central Government thinks fit.
		Section 6 ..	If the Commissioner of the division or Magistrate of the district within which any person (whether an European British subject or not) is dwelling or may be found, reasonably suspects that he intends to disobey the prohibition contained in the first section of the Regulation, such Commissioner or Magistrate may require such security for his good behaviour, for a period not exceeding six months, as to the Commissioner or Magistrate may see sufficient.

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
		(1) PUNJAB CODES—continued.		
123—*concld.*	The Punjab Frontier Grossing Regulation, 1873—*concld.*	Section 6—*concld.* ..	The provisions of the Code of Criminal Procedure, sections 507 to 516 (both inclusive) shall apply, *mutatis mutandis*, to all cases under this section.	
124	The Punjab Frontier Grazing Regulation, 1874.	Section 7 ..	If the owner of any animals seized or recovered under this Regulation, or his agent, appear and refuse to pay the penalties and charges incurred, the animals or as many of them as may be necessary, shall be sold under the orders of the Deputy Commissioner to defray the said charges and penalties as nearly as many be in accordance with rules prescribed for impounded cattle by section 16 of the Cattle-trespass Act, 1871	
		Section 8 ..	If any animal seized or recovered under this Regulation be not claimed within seven days from the date of their being so seized or recovered, they may, after proclamation of the number and description of the animals, the place where they were seized or recovered, and the police station to which they have been taken, be sold under the orders of the Deputy Commissioner as nearly as may be in conformity with the rules prescribed for impounded cattle by section 14 of the Cattle-trespass Act, 1871, The surplus proceeds of the sale, after deducting all penalties and charges, shall be held in deposit for three calendar months, and if no claims thereto be preferred and established within that period, shall at its expiry be at the disposal of the Provincial Government	
		Section 9 ..	When tracts of territory, hill and plain, on both sides of the frontier line in the districts before mentioned, are occupied by members of the same tribe (as in the cases of the Ashtaranis in the Dera Ismail Khan, and of the Ahmadzai Waziris in Bannu), the Deputy Commissioner of the district may in his discretion accept written guarantees from the headmen of such tribes for the security of cattle, sheep, asses or goats at graze on the border, should such headmen represent that armed guards are unnecessary ; and in the event of his accepting such guarantees, the tracts in question shall be exempted from the operation of sections 3, 4 and 5 of this Regulation. Information of such exemption from the operation of the said sections shall be invariably conveyed to the officer commanding the militia and outposts.	

125	The Opium Act, 1878 ..	Section 12 ..	When an offence against this Act has been committed, but the offender is not known or cannot be found, or when opium is not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector of the district or Deputy Commissioner or by any other officer authorised by the Provincial Government in this behalf, either personally or in right of his office, who may order such confiscation : Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto, and the evidence (if any) which they produce in support of their claims.	
		Section 19 ..	The Collector of the district, the Deputy Commissioner or other officer authorised by the Provincial Government in this behalf, either personally or in right of his office of a Magistrate, may issue his warrant for the arrest of any person whom he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any building or vessel or place in which he has reason to believe opium liable to confiscation to be kept or concealed. All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.	
		Section 20 ..	Every person arrested, and thing seized, under section 14 or section 15, shall be forwarded without delay to the officer incharge of the nearest police station and every person arrested and thing seized under section 19 shall be forwarded without delay to the officer by whom the warrant was issued. Every officer to whom any person or thing is forwarded under this section shall, with all convenient despatch, take such measures as may be necessary for the disposal according to law of such person or thing.	
		Section 24 ..	When any amount it due to a farmer of opium-revenue from his licensee, in respect of a licence, such farmer may make an application to the Collector of the district, Deputy Commissioner or other officer authorised by the Provincial Government in this behalf, praying such officer to recover such amount on behalf of the applicant ; and on receiving such application, such Collector, Deputy Commissioner or other officer may his discretion recover such amount as if it were an arrear of land-revenue and shall pay any amount so recovered to the applicant :	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
125—*concld.*	The Opium Act 1878—*concld.*	Section 24—*concld.*	Provided that the execution of any process issued by such Collector (Deputy Commissioner) or other officer for the recovery of such amount shall be stayed if the licensee institutes a suit in the Civil Court to try the demand of the farmer, and furnishes security to the satisfaction of such officer for the payment of the amount which such Court may adjudge to be due from him to such farmer : Provided also that nothing contained in this section or done thereunder shall affect the right of any farmer of opium revenue to recover by suit in the Civil Court or otherwise any amount due from such licensee.	
126	Tenancy Act, 1887 ..	Section 17 ..	If either the landlord or the tenant neglects to attend, either personally, or by agent, at the proper time for making the division or appraisement of the produce, or if there is a dispute about the division or appraisement, a revenue officer may, on the application of either party, appoint such person as he thinks fit to be a referee to divide or appraise the produce.	
		Section 27 (1) ..	Where the rent of a tenancy is the whole or a share of the land revenue thereof, with or without an addition in money, kind or service and the land revenue of the holding in which the tenancy is situate is altered, a revenue officer having authority under section 56 of the Punjab Land Revenue Act, 1887 to determine the land revenue payable in respect of the several holdings comprised in the estate in which the tenancy is situate shall determine also the amount of the land revenue of the tenancy, or the proportionate share thereof, payable by the tenant as rent.	
		Section 27 (2) ..	Where an addition referred to in sub-section (1) is a percentage fixed with reference to the land revenue of the tenancy, or the whole or a share of the rates and cesses chargeable thereon, or both, the revenue officer shall in like manner from time to time alter the amount of the addition in proportion to any alteration of such land revenue or rates and cesses.	
		Section 27-A (1) ..	Where a tenant having a right of occupancy in land in the Attock district pays wholly or partly in cash a rent not falling within the scope of section 27 and the land revenue of the holding in which the tenancy is	

			situated is altered— A Revenue Officer having authority under section 56 of the Punjab Land Revenue Act, 1887, to determine the land revenue payable in respect of the several holding comprised in the estate in which the tenancy is situate, may, by written order, and whether the rent was fixed by agreement or otherwise, and either upon the application of such tenant, or his landlord, or of his own motion increase or diminish such rent if wholly payable in cash, or such portion thereof as is payable in cash, to such extent as appears to the Revenue Officer to be proper having regard to the matters specified in sub-section (2).	
		Section 27-A (2) ..	In increasing or diminishing the rent of a tenancy under the provisions of sub-section (1) the Revenue Officer shall, for the purpose of deciding the extent of such increase or diminution, take into consideration only— (*i*) the land revenue of and the rates and cesses chargeable on the tenancy before the land revenue of the holding in which it is situated was altered ; (*ii*) the land revenue of and the rates and cesses chargeale on the tenancy after such alteration ; and (*iii*) the methods by which the assessments of the land revenue in force before and after such alteration were calculated and distributed over the several holding comprised in the estate in which the tenancy is situated.	
		Section 29 ..	Notwithstanding anything in the foregoing sections of this Chapter, if it appears to a Court making a decree for an arrear of rent that the area of a tenancy has been so diminished by diluvion or otherwise, or that the produce thereof has been so diminished by drought, hail, deposit of sand or other like calamity, that the full amount of rent payable by the tenant cannot be equitably decreed, the Court may, with the previous sanction of the Collector, allow such remission from the rent payable by the tenant as may appear to it to be just.	
		Section 30 (1) ..	Whenever the payment of the whole or any part of the land revenue payable in respect of any land is remitted or suspended, a Revenue Officer may, if the rent be payable in cash or be rent payable in kind of which the amount is fixed, by order, remit or suspend as the case may be, the payment of the rent of that land to an amount which may bear the same proportion to the whole of the rent payable in respect of the land as the land revenue of which payment has been remitted or suspended bears to the whole of the land revenue payable in respect of the land:	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
126—*contd.*	Tenancy Act, 1887—*contd.*	Section 30 (1)—*concld.*	Provided that in the case of an occupancy tenant, whose rent is of the nature hereinbefore in this sub-section described, the remission or suspension of the land revenue payable in respect of the land shall, in the a bsence of a written order by a Revenue Officer to the contrary carry with it aproportionate remission or suspension, as the case may be, of his rent. When the payment of the rent of any kind has been suspended under this clause it shall remain under suspension until the Collector orders the revenue of that land to be realized.	
		S ectin 30 (5) ..	If the landlord collects from a tenant any rent of which the payment has been remitted, or is under suspension, the Revenue Officer may recover from the landlord the amount or value of the rent so collected, and may also recover by way of penalty a further sum not exceeding such amount or value, and may cause to be refunded to the tenant the amount or value of the rent so collected from him.	
		Section 30 (7) ..	Any sum of which the recovery is ordered under sub-section (5) on account of rent or penalty may be recovered by the Collector as if it were an arrear of land revenue.	
		Section 31 ..	In either of the following cases, namely:— (*a*) when a landlord refuses to receive, or grant a receipt for, any rent payable in money when tendered to him by a tenant; (*b*) when a tenant is in doubt as to the person entitled to receive rent payable in money, the tenant may apply to a Revenue Officer for leave to deposit the rent in his office, and the Revenue Officer shall receive the deposit if, after examining the applicant, he is satisfied that there is sufficient ground for the application and if the applicant pays the fee, if any, chargeable for the issue of the notice next hereinafter referred to.	

		Section 36 (1) ..	Any other tenant may relinquish his tenancy by giving verbally or in writing to his landlord or to his landlord's agent, on or before the fifteenth day of January in any year notice of his intention to relinquish the tenancy at the end of the agricultural year then current.	
		Section 36 (2) ..	The tenant may, instead of or in addition to, giving the notice in the manner mentioned in sub-section (I) apply to a Revenue Officer on or before the date aforesaid to cause the notice to be served on the landlord, and the Revenue Officer on receiving the cost of service from the tenant, shall cause the notice to be served as soon as may be.	
		Section 43 ..	In any such case as is mentioned in clause (*a*) or clause (*b*) of the last foregoing section, the landlord may apply to a Revenue Officer for the ejectment of the tenant in the case mentioned in the former clause or for the service on the tenant if a notice of ejectment in the case mentioned in the latter clause.	
		Section 45 (I) ..	On receiving the application of the landlord in any such case as is mentioned in clause (*b*) of section 42, the Revenue Officer shall, if the application is in order and not open to objection on the face of it, cause a notice of ejectment to be served on the tenant.	
		Section 45 (5) ..	If within two months from the date of the service of the notice the tenant does not institute a suit to contest his liability to be ejected a Revenue Officer, on the application of the landlord shall, subject to the provisions of this Act with respect to the payment of compensation, order the ejectment of the tenant : Provided that the Revenue Officer shall not make the order until he is satisfied that the notice was duly served on the tenant.	
		Section 49 (I) ..	Where at the time of the proposed ejectment of a tenant from any land his uncut or ungathered crops are standing on any part thereof, he shall not be ejected from that part until the crops have ripened and he has been allowed a reasonable time to harvest them.	
		Section 49 (2) ..	The Court or Revenue Officer decreeing or ordering the ejectment of the tenant may, on the application of the landlord, determine any dispute arising in consequence of the provisions of sub-section (I) between the landlord and tenant or between the landlord and any person entitled to harvest the crops of the tenant, and may in its or his discretion — (*a*) direct that the tenant pay for the longer occupation of the land secured to him under sub-section (I) such rent as may be fair and equitable, or (*b*) determine the value of the tenant's uncut and ungathered crops and, on payment thereof by the landlord to the Court or Revenue Officer, forthwith eject the tenant.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
126—*contd.*	Tenancy Act, 1887—*contd.* ..	Section 49 (3) ..	When a tenant for whose ejectment proceedings have been taken has conformably with local usage prepared for sowing any land comprised in his tenancy but has not sown or planted crops on that land, he shall be entitled to receive from the landlord before ejectment a fair equivalent in money for the labour and capital expended by him in so preparing the land and the Court or Revenue Officer before which or whom the proceedings are pending shall, on the application of the tenant, determine the sum payable to the tenant under this sub-section and stay his ejectment until that sum has been paid to him.	
		Section 53 (1) ..	A tenant having a right of occupancy under section 5 may, transfer that right by sale, gift or mortgage, subject to the conditions mentioned in this section.	
		Section 53 (2) ..	If he intends to transfer the right by sale, gift, mortgage by conditional sale or usufructuary mortgage, he shall cause notice of his intention to be served on his landlord through a Revenue Officer and shall defer proceeding with the transfer for a period of one month from the date on which the notice is served.	
		Section 53 (3) ..	Within that period of one month the landlord may claim to purchase the right at such value as a Revenue Officer may, on application made to him in this behalf, fix.	
		Section 53 (4) ..	When the application to the Revenue Officer is to fix the value of a right of occupancy which is already mortgaged, he shall fix the value of the rights as if it were not mortgaged.	
		Section 53 (5) ..	The landlord shall be deemed to have purchased the right if he pays the value to the Revenue Officer within such time as that officer appoints.	

		Section 53 (6) ..	On the value being so paid, the right of occupancy shall be extinct, and the Revenue Officer shall, on the application of the landlord, put the landlord in possession of the tenancy.	
		Section 53 (7) ..	If the right of occupancy was already mortgaged, the tenancy shall pass to the landlord unencumbered by the mortgage but the mortgage-debt shall be a charge on the purchase-money.	
		Section 53 (8) ..	If there is no such charge as aforesaid, the Revenue Officer shall, subject to any directions which he may receive from any Court, pay the purchase-money to the tenant.	
		Section 53 (9) ..	If there is such a charge the Revenue Officer shall, subject as aforesaid either apply in discharge of the mortgage-debt so much of the purchase-money as is required for that purpose and pay the balance, if any, to the tenant, or retain the purchase-money pending the decision of a Civil Court as to the person or persons entitled thereto.	
		Section 61 (1) ..	Without the previous permission of the Collector, a landlord shall not a make an improvement on the tenancy of a tenant having a right of occupancy.	
		Section 61 (2) ..	If a landlord desires to make such an improvement, he may apply to the Collector for permission to make it, and the Collector shall, before making an order on the application, hear the objection, if any, of the tenant.	
		Section 62 (1) ..	When a landlord has, with the permission mentioned in the last foregoing section, made an improvement on the tenancy of a tenant having a right of occupancy he may apply to the Collector for an enhancement of the rent of the tenant.	
		Section 62 (2) ..	If the tenant is a tenant to whom section 20 applies, the Collector shall enhance his rent to the share or rates, or with reference to the rent in gross, as the case may be, paid by tenants, having a similar right of occupancy, for land of a similar description and with similar advantages.	
		Section 62 (3) ..	If the tenant is a tenant to whom section 22 applies, the Collector shall enhance his rent to such amount as the tenant would be liable to pay under that section if the land revenue were re-assessed.	
		Section 62 (5) ..	When the improvement ceases to exist, the Collector may, on the application of the tenant, reduce the tenant's rent— (a) in the case of a tenant to whom sub-section (2) applies, to the share or rates, or with reference to the rent in gross, as the case may be, paid by tenants, having a similar right of occupancy for land of a similar description and with similar advantages; and (b) in the case of a tenant to whom sub-section (3) applies, to such an amount as the tenant would be liable to pay if the land revenue were reassessed.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
12— *contd.*	Tenancy Act, 1887—*contd.*	Section 69 (1) ..	A tenant who has cleared and brought under cultivation waste land in which he has not a right of occupancy shall, if ejected from that land, be entitled to receive from the landlord as compensation for disturbance, in addition to any compensation for improvements a sum to be determined by a Revenue Court or Revenue Officer in accordance with the merits of the case, but not exceeding five years' rent of the land : Provided that a tenant who is a joint owner of land to which this section applies shall not be entitled to compensation for disturbance on ejectment from the land or any part thereof.	
		Section 70 (1) ..	In every suit by a tenant to contest his liability to ejectment or by a landlord to eject a tenant or to enhance his rent, the Court shall direct the tenant to file a statement of his claim, if any, to compensation for improvements or for disturbance and of the grounds thereof.	
		Section 70 (2) ..	If the Court decrees the ejectment of the tenant or the enhancement of his rent it shall determine the amount of compensation, if any, due to the tenant and shall stay execution of the decree until the landlord pays into Court that amount less any arrears of rent or costs proved to the satisfaction of the Court to be due to him from the tenant.	
		Section 71 ..	In either of the following cases, namely :— (a) when a notice has been served on a tenant under section 44, (b) when a notice of ejectment has been served on a tenant under section 45 and the tenant has not instituted a suit to contest his liability to be ejected, the tenant may apply to the Revenue Officer having authority to order his ejectment under section 44 or section 45, as the case may be, to determine the amount of compensation due to him for improvements or for disturbance or for both and the Revenue Officer shall determine the amount, if any, accordingly and stay the ejectment of the tenant until the landlord pays to the Revenue Officer the amount so determined less any arrears of rent or cost proved to the satisfaction of the Revenue Officer to be due to the landlord from the tenant.	

		Section 72 ..	In estimating the compensation to be awarded under this Chapter to a tenant for an improvement, the Court or Revenue Officer shall have regard to— (a) the amount by which the value or the produce of the tenancy, or the value of that produce is increased by the improvement ; (b) the condition of the improvement and the probable duration of its effects; (c) the labour and capital required for the making of such an improvement; (d) any reduction or remission of rent or other advantge allowed to the tenant by the landlord in consideration of the improvement ; and (e) in the case of a reclamation of the conversion of unirrigated into irrigated land, the length of time during which the tenant has had the benefit of the improvement.	
		Section 73 (1) ..	The compensation shall be made by payment in money, unless the parties agree that it be made in whole or in part by the grant of a beneficial lease of land or in some other way.	
		Section 73 (2) ..	If the parties so agree, the Court or Revenue Officer shall make an order accordingly.	
		Section 74 (1) ..	If from any cause the amount of compensation payable to a tenant— (a) under this Chapter for improvements or disturbance, or (b) under section 49 for the value of uncut or ungathered crops or the preparation of land for sowing; has not been determined before the tenant is ejected, the ejectment shall not be invalidated by reason of the omission, but the Court or Revenue Officer which decreed or who ordered the ejectment may, on application made by the tenant within one year from the date of the ejectment, correct the omission by making in favour of the tenant an order for the payment to him by the landlord of suh compensation as the Court or office may determine the tenant to be entitled to.	
		Section 74 (2) ..	An order made under sub-section (1) may be executed in the same manner as a decree for money may be executed by a Revenue Court.	
		Section 76 (1) ..	The following applications and proceedings shall be disposed of by Revenue Officers as such,and no Court shall take cognizance of any dispute or matter with respect to which any such application or proceeding might be made or had.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of powers	REMARKS
1	2	3	4	5
126—*contd.*	Tenancy Act, 1887—*contd.* ..		FIRST GROUP (a) proceedings under section 27 for the adjustment of rents expressed in terms of the land revenue (proceedings under section 27-A for the adjustment of rents of occupancy tenants in the Attock district); (b) proceedings relating to the remission and suspension of rent under section 30 ; (c) applications under section 43 for the ejectment of a tenant against whom a decree for an arrear of rent in respect of his tenancy has been passed and remains unsatisfied ; (d) applications under section 45, sub-section (5), for the ejectment of a tenant on whom a notice of ejectment has been served and who have not instituted a suit to contest his liability to be ejected but has claimed compensation under section 71; (e) applications under section 53 or section 54 for the fixing of the value of a right of occupancy ; (f) applications under section 53 or section 54 by landlord for prossession of land, the right of occupancy in which has become extinct; (g) proceedings under Chapter VI with respect to the award of compensation for improvements or disturbance.	
		Section 76(2) ..	(a) A Collector or an Assistant Collector of the first grade may dipose of the applications and proceedings mentioned in subsection (1).	
		Section 77 (3) ..	The following suits shall be instituted in, and heard and determined by Revenue Courts, and no other Court shall take cognizance of any dispute or matter with respect to which any such suit might be instituted:— Provided that where in a suit cognizable by and instituted in a Civil Court it becomes necessary to decide any matter which	

			can under this sub-section be heard and determined only by a Revenue Court, the Civil Court shall endorse upon the plaint the nature of the matter for decision and the particulars required by Order VII, rule 10, Civil Procedure Code, and return the plain for presentation to the Collector ; (2) on the plaint being presented to the Collector, the Collector shall proceed to head and determine the suit where the value thereof exceeds Rs. 1,000 or the matter involved is of the nature mentioned in section 77(3), First Group, of the Punjab Tenancy Act, 1887, and in other cases may send the suit to an Assistant Collector of the first grade for decision. *1st Group—* (a) suits between landlord and tenant for enhancement or reduction of rent under section 24 ; (b) suits between landlord and tenant for addition to or abetment of rent under section 28 or for commutation of rent ; (c) suits under section 34 for the determination of rent or other sum on the expiration of the term of an assessment of land revenue (and suits relating to the rent to be paid under a mortgage made in accordance with form (c) as prescribed by section 6 of the Punjab Alienation of Land Act, 1900). *Second Group—* (d) suits by a tenant to establish a claim to a right of occupancy, or by a landlord to prove that a tenant has not such a right ; (e) suits by a landlord to eject a tenant ; (f) suits by a tenant under section 45 to contest liability to ejectment when notice of ejectment has been served; (g) suits by a tenant under section 50 for recovery of possession or occupancy, or for compensation or for both ; (h) suits by a landlord to set aside a transfer made of a right of occupancy, or to dispossess a person to whom such a transfer has been made, or for both purposes ;	

Serial No.	Act/Ordinance	Section/Para.	Name and extent of powers	REMARKS
1	2	3	4	5
126 *contd.*	Tenancy Act, 1887—*contd.*	Section 77 (3)—*concld.*	(i) any other suit between landlord and tenant arising out of the lease or conditions on which a tenancy is held ; (j) suits for sums payable on account of village-cesses or village expenses ; (k) suits by a co-sharer in an estate or holding for a share of the profits thereof or for a settlement of accounts; (l) suits for the recovery of overpayments of rent or land revenue or of any other demand for which a suit lies in a Revenue Court under this sub-section ; (m) suits relating to the emoluments of kanungo, zaildars, inamdars or village officers ; *Third Group—* (n) suits by a landlord for arrears of rent of the money, equivalent of rent, or for sums recoverable under section 14; (o) suits by a land owner to recover moneys claimed as due for the enjoyment of rights in or over land or in water, including rights of irrigation, rights over fisheris, rights of pasturage and forest-rights; (p) suits for sums payable on account of land revenues or of any other demand recoverable as an arrear of land revenue under any enactment for the time being in force, and by a superior land owner for other sums due to him as such.	
		Section 77 (4) (A) ..	Collector may hear and determine any of the suits mentioned in sub-section (3).	

		Section 78(2) ..	Subject to the general superintendence and control of the Board of Revenue. A Commissioner shall control all other Revenue Officers and Revenue Courts in this division.	
		Section 78(3) ..	Subject as aforesaid and to the control of the Commissioner, a Collector shall control all other Revenue Officers and Revenue Courts in this district.	
		Section 79 (1) ..	The Board of Revenue or a Commissioner or Collector may, by written order, distribute, in such manner as he thinks fit, any business cognizable by any Revenue Officer or Revenue Court under his control.	
		Section 79 (2) ..	The Board of Revenue or a Commissioner or Collector may, withdraw any case pending before any Revenue Officer or Revenue Court under his control, and either dispose of it himself, or by written order refer it for disposal to any other Revenue Officer or Revenue Court under his control.	
		Section 80 ..	Subject to the provisions of this Act and the rules thereunder an appeal shall lie from an original or appellate order or decree mad under this Act by a Revenue Officer or Revenue Court, as follows, namely,— (a) to the Collector when the order or decree is made by an Assistant Collector of either grade ; (b) to the Commissioner when the order or decree is made by a Collector ; (c) to the Board of Revenue only on a point of law when the order or decree is made by a Commissioner ; Provided that— (i) an appeal from an order or decree made by an Assistant Collector of the first grade specially empowered by name in that behalf by the Provincial Government in a suit mentioned in the first group of sub-section (3) of section 77 shall lie to the Commissioner and not to the Collector ; (ii) when an original order or decree is confirmed on first appeal, a further appeal shall not lie; (iii) when any such order or decree is modified or reversed on appeal by the Collector, the order or decree made by the Commissioner on further appeal, if any, to him shall be final.	
		Section 81 ..	The period of limitation for an appeal under the last foregoing section shall run from the date of the order or decree appealed against, and shall be as follows, that is to say :—	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of powers	REMARKS
1	2	3	4	5
126—*contd.*	Tenancy Act, 1887—*contd.*	Section—81 *concld.*	(a) when the appeal lies to the Collector—Thirty days ; (b) when the appeal lies to the Commissioner—Sixty days ; (c) when the appeal lies to the Board of Revenue—Ninety days.	
		Section 82(1) ..	A Revenue Officer, as such, may either of his own motion or on the application of any party interested, review and on so reviewing modify, reverse or confirm any order passed by himself or by any of this predecessors in office: Provided as follows:— (a) an order passed by his predecessor in office shall not be reviewed buy the— (i) Commissioner without first obtaining the sanction of the Board of Revenue. (ii) Collector without first obtaining the sanction of the Commissioner and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject.	
		Section 82(2) ..	For the purposes of this section the Collector shall be deemed to be the successor in office of any Revenue Officer of a lower class who has left the district or has ceased to exercise powers as a Revenue Officer, and to whom there is no successor in office.	
		Section 84(2) ..	A Commissioner or Collector may call for the record of any case pending before, or disposed of by, any Revenue Officer or Revenue Court under his control.	

		Section 84(3) ..	If in any case in which a Collector has called for a record he is of opinion that the proceedings taken or the order or decree made should be modified or reversed, he shall submit the record with his opinion on the case for the order of the Commissioner.	
		Section 84(4) ..	If after examining a record called for under sub-section (1), or sub-section (2), or submitted under sub-section (3) the Board of Revenue or the Commissioner, as the case may be, is of the opinion that it is expedient to interfere with the proceedings or the order or decree, it or he, as the case may be, shall pass an order accordingly.	
		Section 89 (1) ..	A Revenue Officer or Revenue Court may summon any person whose attendance he or it considers necessary for the prupose of any application, suit or other business before him or it as a Revenue Officer or Revenue Court.	
		Section 89 (3) ..	The person attending in obedience to the summons shall be bound to state the truth upon any matter respecting which he is examined or makes statements, and to produce such documents and other things relating to any such matter as the Revenue Officer or Revenue Court may require.	
		Section 90(3) ..	If the summons relates to a case in which persons having the same interest are so numerous that personal service on all of them is not reasonably practicable, it may, if the Revenue Officer or Revenue Court so directs, be served by delivery of a copy thereof to such of those persons as the officer or Court nominates in this behalf and by proclamation of the contents thereof for the information of the other persons interested.	
		Section 90(4) ..	A summon may, if the Revenue Officer or Revenue Court so directs, be served on the pserson named therein, either in addition to, or in substitution for, any other mode of service, by forwarding the summons by post in a letter addressed to the person and registered under Part III of the Indian Post Office Act, 1886.	
		Section 90 (5) ..	When a summon is so forwarded in a letter and it is proved that the letter was properly addressed and duly posted and registered, the officer or Court may presume that the summons was served at the time when the letter would be delivered in the ordinary course of post.	
		Section 93 (1) ..	Any number of tenants cultivating in the same estate, may in the discretion of the Revenue Officer or Revenue Court and subject to any rules which the Provincial Government may make in this behalf, be made parties to any proceeding under Chapter III.	
		Section 93(2) ..	But a decree or order shall not be made in any such proceeding unless the Revenue Officer or Revenue Court is satisfied that all the parties thereto have had an opportunity of appearing and being heard.	

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Seoial No.	Act/Ordianoe	Section/Para.	Nature and extent of powers	Remarks
1	2	3	4	5
126—*contd.*	Tenanoy Act, 1887—*contd.*	Section 93(3) ..	A decree or order made in any such proceeding shall specify the extent to which each of the tenants is affected thereby.	
		Section 95(1) ..	When a defendant admits that money is due from him on account of rent, but pleads that it is due not to the plaintiff but to a third person, the Court shall, except for special reasons to be recorded by it, refuse to take cognizance of the plea unless the defendant pays into Court the amount so admitted to be due.	
		Section 95 (2) ..	Where such a payment in made the Court shall forthwith cause notice of the payment to be served on the third person.	
		Section 95 (3) ..	Unless the third person within three months from the receipt of the notice, institutes a suit against the plaintiff and therein obtains an order restraining payment of the money, it shall be paid to the plaintiff on his application to the Court therefor.	
		Section 95(4) ..	Nothing in this section shall affect the right of any person to recover from the plaintiff money paid to thim under sub-section (3).	
		Section 95(5) ..	When a defendant pays money into Court under this section, the Court shall give the defendant a receipt, and the receipt so given shall operate as an acquittance in the same manner and to the same extent as if it had been given by the plaintiff or the third person, as the case may be.	
		Section 96 ..	A Court passing a decree for an arrear of rent may, on the oral application of the decree-holder, order execution thereof against the movable property of the tenant, and against any uncut or ungathered crops on the tenancy in respect of which the arrear is decreed.	

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		Section 98 (1) ..	If, in any proceeding pending before a Revenue Court exercising original, appellate or revisional jurisdiction, it appears to the Court that any question in issue is more proper for decision by a Ciivil Court, the Revenue court may, with the previous sanction of the Court, if any, to the control of which it is immediately subject, require, by order in writing, any party to the proceeding to institute, within such time as it may fix in this behalf, a suit in the Civil Court for the purpose of obtaining a decision on the question and, if he fails to comply with the requisition, may decide the question as it thinks fit.	
		Section 98(2) ..	If the party institutes the suit in compliance with the requisition, the Revenue Court shall dispose of the proceeding pending before it in accordance with the final decision of the Civil Court or first instance or appeal, as the case may be.	
		Section 99 (1) ..	If the presiding officer of a Civil or Revenue Court in which a suit has been instituted doubts whether he is precluded from taking cognizance of the suit, he may refer the matter through the District Judge or Commissioner, or, if he is a District Judge or Commissioner directly to the High Court.	
		Section 100 (1) ..	In either of the following cases, namely — (a) if it appears to a Civil Court that a Court under its control has determined a suit of a class mentioned in section 77 which under the provisions of that section should have been heard and determined by a Revenue Court, or (b) if it appears to a Revenue Court that a Court under its control has determined a suit which should have been heard by a Civil Court, the Civil Court or Revenue Court, as the case may be, shall submit the record of the suit to the High Court.	
		Section 103	When a Collector dies or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the district under any orders which may be generally or specially issued by the Provincial Government on this behalf, shall be deemed to be a Collector under this Act.	
		Section 104 ..	When a Revenue Officer of any class who, either as such or as a Revenue Court, has under the foregoing provisions of this Act,	

Serial No.	t/Ordinance	Section/Para.	Nature and extent of powers	Remarks
1	2	3	4	5
127	Land Revenue Act, 1887 ..	Section 11(3) ..	Subject to the general superintendence and control of the Board of Revenue a Commissioner shall control all other Revenue officer in his division.	
		Section 11(4) ..	Subject as aforesaid and to the control of the Commissioner, a Collector shall control all other Revenue officers in his district.	
		Section 12(1) ..	The Board of Revenue or a Commissioner or Collector may by written order distribute, in such manner as he thinks fit, any business cognizable by any Revenue Officer under the control.	
		Section 12(2) ..	The Board of Revenue or a Commissioner or Collector may withdraw any case pending before any Revenue Officer under its or his control, and either dispose of it himself, or by wrttien order refer it for disposal to any other Revenue officer under its or his control.	
		Section 12(3) ..	An order under sub-section (I) or sub-section (2) shall not empower any officer to exercise any powers or deal with any business which he would not be competent to exercise or deal with within the local limits of his own jurisdiction. *Appeal, Review ad Revision*	
		Section 13 ..	Save as otherwise provided by this Act, as appeal shall lie from an original or appellate order of Revenue Officer as follows, namely:— (a) to the Collector , when the order is made by an Asistant Collector of either grade ; (b) to the Commissioner when the order is made by a Collector, (c) to the Board of Revenue, when the order is made by a Commissioner—	

			Provided that— (i) when an original order is confirmed on first appeal, a further appeal shall not lie ; (ii) when any such order is modified or reversed on appeal by the Collector, the order made by the Commissioner on further appeal, if any, to him shall be final.	
		Section 14 ..	Save as otherwise provided by this Act, the period of limitation for an appeal under the last foregoing section shall run from the date of the order appealed against and shall be as follows, that is to say — (a) when the appeal lies to the Collector-thirty days ; (b) when the apeal lies to the Commissioner-sixty days; (c) when the apeal lies to the Board of Revenue-ninety days.	
		Section 15 (1) ..	A Revenue Officer may, either of his own motion or on the application of any party interested, review and on so reviewing, modify, reverse or confirm, any order passed by himself or any of his predecessors in office; Provided as follows:— (a) an order passed by his predecessor in office shall not be reviewed by the— (i) Commissioner without first obtanining the sanction of the Board of Revenue. (ii) Collector without first obtaining the sanction of the Commissioner, and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject. (b) an application for review of an order shall not be entertained unless it is made within ninety days from the passing of the order, or unless the applicant satisfies the Revenue Officer that he had sufficient cause for not making the application within that period; (c) an order not be modified or reversed unless reasonable notice has been given to the patries affected thereby to appear and be heard in support of the order ; (d) an order against which an appeal has been preferred shall not be reviewed.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of powers	REMARKS
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*contd.*	Section 15(2) ..	For the purposes of this section, the Collector shall be deemed to be the successor in office of any Revenue Officer of a lower class who has left the district or has ceased to exercise of powers as a Revenue officer, and to whom there is no successor in office.	
		Section 15 (3) ..	An appeal shall not lie from an order refusing to review or confirming on review a previous order.	
		Section 16 (2) ..	A Commissioner or Collector may call for the record or any case pending before, or disposed of by, any Revenue Officer under his control.	
		Section 16 (3) ..	If in any case in which a Collector has called for a record he is of opinion that the proceedings taken or order made should be modified or reversed, he shall report the case with his opinion thereon for the orders of the Commissioner.	
		Section 16(4) ..	The Board of Revenue may in any case called for under sub-section (1) and a Commissioner may in any case called for under sub-section (2) or reported under sub section (3) pass such order as it or he thinks fit. Provided that no order shall be passed under this section reversing or modifying any proceedings or order of a subordinate Revenue Officer and affecting any question of right between private persons without giving those persons an opportunity of being heard.	
		Section 18 (1)	Appearances before a Revenue Officer, and applications to and acts to be done before him, under this Act may be made or done— (a) by the parties themselves , or (b) by their recognised agents or a legal practitioner ; Provided that the employment of a recognized agent or legal practitioner shall not excuse the personal attendance of a party to any proceeding in any case in which personal attendance is specially required by an order of the officer.	
		Section 18(3) ..	The fees of a legal practitioner shall not be allowed as costs in any proceeding before a Revenue Officer under this Act unless that officer considers, for reasons to be recorded by him in writing, that the fees should be allowed.	
		Section 19(1) ..	A Revenue Officer may summon any person whose attendance he considers necessary for the purpose of any business before him as a Revenue Officer.	
		Section 19(3) ..	The person attending in obedience to the summons shall be bound to state the truth upon any matter respecting which he is examined or make statements and to produce such documents and other things relating to any such matter as the Revenue Officer may require.	

		Section 20(3) ..	If the summons relates to case in which persons having the same interest are so numerous that personal service on all of them is not reasonably practicable it may, if the Revenue Officer so directs, be served by delivery of a copy thereof to such of those persons as the Revenue Officer nominates in this behalf and by proclamation of the contents thereof for the information of the other persons interested.	
		Section 20(4) ..	A summons may, if the Revenue Officer so directs, be served on the person named therein, either in addition to, or in substitution for, any other mode of service, by forwarding the summons by post in a letter addressed to the person and registered under part III of the Post Office Act, 1866.	
		Section 20(5) ..	When a summons is so farwarded in a letter and it is proved that the letter was properly addressed and duly posted and registered, the Revenue Officer may presume that the summons was served at the time when the letter would be delivered in the ordinary course of post.	
		Section 25 ..	When a Collector dies or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the district under any orders which may be generally or specially issued by the Provincial Government in this behalf shall be deemed to be a Collector under this Act.	
		Section 26 ..	When a Revenue Officer of any class who has been invested under the foregoing provisions of this Act with any powers to be excercised in any local area is transferred from that local area to another as a Revenue Officer of the same or a higher class, he shall continue to exercise those powers in that other local area unless the Provincial Government otherwise directs or has otherwise directed.	
		Section 27 (2) ..	A person on whom powers are conferred under sub-section (1) shall exercise those powers within such local limits and in such classes of cases as the Provincial Government may direct, and except as otherwise directed by the Provincial Government, shall for all purposes connected with the exercise thereof, be deemed to be a Board of Revenue, Commissioner, Collector, or Assistant Collector, as the case may be.	
		Section 27 (3) ..	If any of the powers of a Collector under this Act are conferred on an Assistant Collector they shall unless the Provincial Government by special order otherwise directs, be exercised by him subject to the control of the Collector.	
		Section 28(2) ..	When the Provincial Government undertakes to pay the zaildars and inamdars in any district tehsil or other local area from the land revenue realised in that local area a rule under sub-section (1) may direct that from every person to whom the land revenue of any land in that local areas has been realized and assigned or who has redeemed or compounded for the same, there shall be levied as a contribution towards the payment of such zaildars and inamdars a rate not exceeding one and-a half per cent on the land revenue which has been, or, but for such release, assignment, redemption or composition, would have been assessed on such land; and, in any case in which land revenue is collected on account of such land by any Revenue Officer for any such person, such officer may deduct that percentage from the amount payable by him to that person.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of powers	Remarks
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*contd.*	Section 33(1) ..	The Collector shall cause to be prepared by the patwari of each estate yearly, or at such other intervals, as the Board of Revenue may prescribe, an addition of the record-of-rights amended in accordance with the provisions of this Chapter.	
		Section 33(3) ..	For the purposes of the preparation of the anual record, the Collector shall cause to be kept up by the patwari of each estate a register of mutations and such other registers as the Board of Revenue may prescribed.	
		Section 34(4) ..	A Revenue Officer shall, from time to time, inquire into the correctness of all entries in the register of mutations and into all such acquisitions as aforesaid coming to his knowledge of which, under the foregoing sub-sections, report should have been made to the patwari and entry made in that register, and shall in each case make such order as he thinks fit with respect to the entry in the annual record of the right acquired.	
		Section 36 (1) ..	If during the making, revision or preparation of any record or in the course of any inquiry under this Chapter a dispute arises as to any matter of which an entry is to be made in a record or in a register of mutations, a Revenue Officer may, of his own motion, or on the application of any party interested, but subject to the provisions of the next following section, and after such inquiry as he thinks fit, determine the entry to be made as to that matter.	
		Section 36 (2) ..	If in any such dispute the Revenue Officer is unable to satisfy himself as to which of the parties thereto is in possession of any property to which the dispute relates., he shall ascertain by summary inquiry who is the person best entitled to the property, and shall by order direct that that person be put in possession thereof, and that an entry in accordance with that order be made in the record or register.	
		Section 39 ..	Any person neglecting to make the report required by section 34 within three months from the date of his acquisition of a right referred to in that section shall be liable, at the discretion of the Collector, to a fine not exceeding five times the amount of the fee which would have been payable according to the scale fixed under the last forgoing section if the acquisition of the right had been reported immediately after its accrual.	

		Section 40 ..	Any person whose rights, interests or liablitics are required to be entered in any record under this Chapter shall be bound to furnish, on the requisition of any Revenue Officer or village officer engaged in compiling the record, all information necessary for the correct compilation thereof.	
		Section 50 (1) ..	A general assessment shall be made by a Revenue Officer.	
		Section 50 (2) ..	Before making such assessment the Revenue Officer shall report through the Commissioner for the sanction of the Board of Revenue his proposals with regard thereto.	
		Section 51(1) ..	After consideration of the proposals submitted by the Revenue Officer under the provisions of section 50 the Board of Revenue shall pass such orders as it may deem fit, subject to the provisions of sub-section (3) and (4) and on the receipt of such orders the Revenue Officer shall make an order determining the assessment proper for each estate concerned and shall announce it in such manner as the Board of Revenue may by rule prescribed.	
		Section 51(2) ..	At the time of announcing the assessment the Revenue Officer shall also declare the date from which it is to take effect, and, subject to the other provisions of this Act, it shall take effect accordingly.	
		Section 52 (3) ..	The order passed by the Revenue Officer on the petition shall set forth his reasons for granting or refusing it.	
		Section 53 (2) ..	At any time before an assessment is so confirmed the Commissioner or Board of Revenue may subject to the provisions of sub-section (3) modify the assessment of any estate.	
		Section 53 (3) ..	Before an enhancement is ordered under the provisions of sub-section (2) the Commissioner or the Board of Revenue as the case may be, shall cause reasonable notice to be given to the landowners by proclamation published in the manner described in section 22, to show cause in a petition addressed to the Revenue Officer why the proposed enhancement should not be ordered, and the Revenue Officer shall enquire into any objections raised by any landowner and submit such petition received with his report thereon to the Commissioner or the Board of Revenue, who shall consider the petition and the report and shall also hear the petitioner if he so desires.	
		Section 55 (2) ..	When the Revenue Officer receives a notice under sub-section (1), the Collector may take possession of the estate and deal with it, as nearly as may be, as if the annulment of the assessment thereof had been ordered as a process for the recovery of an arrear of land revenue due thereon.	

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Serial No.	Act/Ordinance	Section/Para.	Nature and extent of powers	Remarks
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*contd.*	Section 56 (1) ..	If the assessment announced under section 51 is in whole or in part a fixed assessment of an estate for term of years, the Revenue Officer shall, before the date on which the first instalment thereof becomes payable, make an order distributing it over the several holdings comprised in the estate and make and publish a record of the distribution.	
		Section 56 (2) ..	The Collector may for sufficient reason make an order revising that record at any time while the assessment continues to be in force, and publish the record so revised.	
		Section 56 (3) ..	If the assessment announced under section 51 is in the form of rates chargeable according to the results of each year or harvest, a Revenue Officer shall from year to year or from harvest to harvest, as the conditions of the assessment may require, make and publish, not later than one month before the first instalment of the land revenue falls due, a record of the amount payable in respect of each holding.	
		Section 57 (2) ..	The order passed by the Revenue Officer on the petition shall set for his reasons for granting or refusing it.	
		Section 59 (1) ..	Special assessment may be made by Revenue Officers in the following cases, namely :— (*a*) when land revenue which has been released or assigned is resumed ; (*b*) when lands are sold, leased or granted by the Crown; (*c*) when the assessment of any land has been annulled or the landowner has refused to be liable therefor, and the term of which the land was to be managed by the Collector or his agent or let in farm has expired ; (*d*) when assessments of land revenue required revision in consequence of the action of water or sand or of calamity of season or from any other cause ;	

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		Section 53(3)—*contd.*	(c) when revenue due to the Crown on account of pasture or other natural products of land, or on account of mills, fisheries or natural products of water, or on account of other rights described in section 41 or section 42, has not been included in an assessment made under the foregoing provisions of this Chapter.	
	..	Section 62 (2) ..	Without the previous consent of the Collector, the rents, profits or produce of an estate or holding shall not be liable to be taken in execution of a decree or order of any Court until the land revenue chargeable against the rents, profits or produce, and any arrear of land revenue due in respect of the estate or holding, have been paid.	
	..	Section 64(2) ..	Where land revenue due to an assignee is collected by a Revenue Officer, there shall be deducted from the sum collected such a percentage on account of the cost of collection as the Board of Revenue may by rule in this behalf prescribe.	
	..	Section 64(3) ..	A suit for an arrear of assigned land revenue shall not be entertained unless there is annexed to the plaint at the time of the presentation thereof a document under the hand of the Collector specially authorising the institution of the suit.	
	..	Section 66 ..	A statement of account certified by Revenue Officer shall be conclusive proof of the existence of an arrear of land revenue, of its amount and of the person who is the defaulter.	
	..	Section 68 ..	A writ of demand may be issued by a Revenue Officer on or after the day following that on which an arrear of land revenue accrues.	
	..	Section 69 (1) ..	At any time after an arrear of land revenue has acrued a Revenue Officer may issue a warrant directing an officer named therein to arrest the defaulter and bring him before the Revenue Officer.	
	..	Section 69(2) ..	When the defaulter is brought before the Revenue Officer, the Revenue Officer may cause him to be taken before the Collector, or may keep him under personal restraint for a period not exceeding ten days, and then, if the arrear is still unpaid, cause him to be taken before the Collector.	
		Section 69(3) ..	When the defaulter is brought before the Collector, the Collector may issue an order to the officer in charge of the civil jail of the district, directing him to confine the defaulter in the jail for such period, not exceed ing one month from the date of the order, as the Collector thinks fit.	
		Section 70 (1) ..	At any time after an arrear of land revenue has accrued, the moveable property and uncut or ungathered crops of the defaulter may be destrained and sold by order of a Revenue Officer.	

Serial No.	Act/Ordinance	Section/Par	Nature and extent of power	REMARKS
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*contd.*	Section 70(2) ..	The distress and sale shall be conducted, as nearly as may be, in accordance with the law for the time being in force for the attachment and sale of moveable property under the decree of a Revenue Court constituted under the Punjab Tenancy Act, 1887. Provided that, in addition to the particulars exempted by the law from liability to sale, so much of the produce of the land of the defaulter as the Collector thinks necessary for seed-grain and for the subsistence, until the harvest next following, of the or defaulter and his family, and of any cattle exempted by that law, shall be exempted from sale under this section.	
		Section 71(1) ..	At any time after an arrear of land revenue has accrued on a holding, the Collector may transfer the holding to any person being a landowner of the estate in which the holding is situate and not being a defaulter in respect of his own holding, on condition of his paying the arrear before being put in possession of the holding, and on such further conditions as the Collector may see fit to prescribe.	
		Section 71(2) ..	The transfer may, as the Collector thinks fit, be either till the end of the agricultural year in which the defaulter pays to the transferee the amount of the arrear which the transferee paid before being put in possession of the holding, or for a term not exceeding fifteen years from the commencement of the agricultural year next following the date of the transfer.	
		Section 71(3) ..	The Collector shall report to the Commissioner any transfer made by him under this section, and the Commissioner may set aside the transfer or alter the conditions thereof, or pass such other order as he thinks fit.	
		Section 71(6) ..	When the transfer was for a term, the holding shall, on the expiration of the term, be restored by the Collector to the defaulter free or any claim on the part of the Government or the transferee for any arrear of land revenue or rates and cesses due in respect thereof.	
		Section 72(1) ..	At any time after an arrear of land revenue has accrued, the Collector may cause the estate or holding in respect of which the arrear is due to be attached and taken under his own management or that of an agent appointed by him for that purpose.	

		Section 72 (2). ..	The sCollector or the agent shall be bound by all the engagements which exit ed between the defaulter and his tenants, if any, and shall be entitled to manage the land and to receive all rents and profits accruing therefrom to the exclusion of the defaulter until the arrear has been satisfied or until the Collector restores the land to the defaulter.	
		Section 73(3) ..	When the assessment of any land has been annulled, the Collector may, with the previous sanction of the Commissioner, either manage the land himself or through an agent, or let it in farm to any person willing to accept the farm, for such term and on such conditions as may be sanctioned by the Commissioners. Provided that the term for which land may be so managed or farmed shall not be longer than fifteen years from the commencement of the agricultural year next following the date of the annulment.	
		Section 73(4) ..	At some time before the expiration of that term the Collector shall determine the assessment to be paid in respect of the estate or holding for the remainder of the term of the current assessment of the district or tahsil, and when the assessment has been sanctioned by the Commissioner, shall announce it to the landowner.	
		Section 73(5) ..	The landowner may give notice to the Collector of refusal to be liable for the assessment within thirty days from the date on which the assessment was announced to him.	
		Section 73(6) ..	If notice is so given, the Collector may, with the previous sanction of the Commissioner take the estate or holding under direct management or farm it for the remainder of the term of the current assessment of the district or tahsil, or for any period within that term which the Commissioner may fix.	
		Section 73(8) ..	The Commissioner may direct that any contract made by the defaulter, or by any person through whom the defaulter claims, with respect to any land comprised in an estate or holding of which the assessment has been annulled shall not be binding on the Collector or his agent or farmer during the period for which the estate or holding remains under the management of the Collector or his agent or is let in farm.	
		Section 74(1) ..	When any land is attached under section 72, or when the assessment of any land has been annulled under the last foregoing section, the Collector shall make proclamation thereof.	
		Section 74 (2) ..	No payment made by any person to the defaulter before the making of the proclamation on account of rent or any other asset in anticipation of the usual time for the payment shall, without the special sanction of the Collector, be credited to that person or relieve him from liability to make the payment to the Collector or his agent or farmer.	

Serial No.	Act/Ordinance	Section/para	Nature and extens of powers	Remarks
1	2	3	4	5
12—*contd.*	Land Revenue Act, 1857—*contd.*	Section 75 ..	When an arrear of land revenue has accrued and the foregoing processes are not deemed sufficient for the recovery thereof, the Collector with the previous sanction of the Commissioner may, in addition to or instead of all or any of those processes, and subject to the provisions hereinafter contained, sell the estate or holding in respect of which the arrear is due: Provided that land shall not be sold for the recovery of— (*a*) any arrear which has accrued, while the land was under the charge of the Court of Wards, or was so circumstanced that the Court of Wards might have exercised jurisdiction over it under the provisions of section 35 of the Punjab Laws Act, 1872, clause (*a*), (*b*), (*c*) or (*d*), or (*b*) any arrear which has accrued while the land was under attachment under section 72 of this Act; or (*c*) any arrear which has accrued while the land was held under direct management by the Collector or in farm by any other person, under section 73, after either an annulment of assessment or a refusal to be liable therefor.	
		Section 77(1) ..	If the arrear cannot be recovered by any of the processes hereinbefore provided, or if the Commissioner considers the enforcement of any of those processes to be inexpedient, the Collector may, where the defaulter owns any other estate or holding, or any other immovable property, proceed under the provisions of this Act against that property as if it were the land in respect of which the arrear is due : Provided that no interests save those of the defaulter alone shall be so proceeded against, and no encumbrances created, grants made or contracts entered into by him in good faith shall be rendered invalid by reason only of his interests being proceeded against.	
		Section 77(2) ..	When the Collector determines to proceed under this section against immovable property other than the land in respect of which the arrear is due, he shall issue a proclamation prohibiting the transfer or charging of the property.	

Section 77(3)		The Collector may at any time by order, in writing withdraw the proclamation, and it shall be deemed to be withdrawn when either the arrear has been paid or the interests of the defaulter in the property have been sold for the recovery of the arrear.
Section 77(5)	..	In proceeding against property under this section the Collector shall follow, as nearly as the nature of the property will admit, the procedure prescribed for the enforcement of process against land on which an arrear of land revenue is due.
Section 79(1)	..	On the receipt of the sanction of the Commissioner to the sale of any immovable property, the Collector shall issue a proclamation of the intended sale, specifying— (*a*) the date, time and place of the sale; (*b*) the property to be sold, and, if it is an estate or holding, the land revenue assessed thereon or payable in respect thereof; (*c*) if the property is to be sold for the recovery of an arrear due in respect thereof, the encumbrances, grants, contracts and rights of occupancy, if any, specially saved by order of the Commissioner under section 76, sub-section (2), clause (*c*); (*d*) if the property is to be sold otherwise than for the recovery of an arrear due in respect thereof, any encumbrance, grant or contract to which the property is known to be liable; and (*e*) the amount for the recovery of which the sale is ordered.
Section 79(3)	..	The place of sale specified under clause (*a*) of sub-section (1) must be either the office of the Collector or some place appointed by the Collector in this behalf and situate in or near the property to be sold.
Section 80	..	A Revenue officer shall not be answerable for any error, mis-statement or omission in any proclamation under the last foregoing section, unless the same has been committed or made dishonestly.
Section 81(3)	.	The proclamation shall be further published in manner prescribed in section 22 and in such other manner as the Collector thinks expedient.
Section 82(2)	..	The sale shall be by public auction, and shall be conducted either by the Collector in person or by a Revenue Officer specially appointed by him in this behalf.
Section 83	..	The Collector may from time to time postpone the sale.

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Serial No.	Act/Ordinance	Section/para	Nature and extent of Power	REMARKS
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*contd.*	Section 86 ..	If the person who made the highest bid fails to pay the deposit as required by the last foregoing section, the poperty shall forthwith be put up again and sold, and all expenses attending the first sale, and the deficiency of price, if any, which may happen on the resale, may be recovered from him by the Collector as if the same were an arrear of land.	
		Section 89 ..	In default of payment of the full amount of the purchase money within the period mentioned in the last foregoing section, the deposit referred to in section 85 or section 87, as the case may be, shall, after defraying the expenses of the sale, be forfeited to the Government and may, if the Collector with the previous sanction of the Commissioner so directs be applied in reduction of the arrear, and the property shall be re-sold, and the defaulting purchaser shall have no claim to the property or to any part of the sum for which it may subsequently be sold.	
		Section 90 ..	Every sale of immovable property under this Chapter shall be reported by the Collector to the Commissioner.	
		Section 95(1) ..	After a sale has been confirmed in manner aforesaid, the Collector shall put the person declared to be the purchaser into possession of the property sold, and shall grant him a certificate to the effect that he has purchased that property.	
		Section 96(1) ..	When a sale of immovable property under this Chapter has been confirmed, the proceeds of the sale shall be applied in the first place to the payment of any arrears, including costs incurred for the recovery thereof, due to the Crown from the defaulter at the date of the confirmation of the sale whether the arrears are of land revenue, or of sums recoverable as arrears of land revenue, and the surplus, if any, shall be paid to the person whose property has been sold, or, if the property sold was owned by more than one person, then to the owners either collectively or according to the amount of their recorded interest, as the Collector thinks fit.	

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		Section 97 ..	When a village officer required by rules under section 28 to collect any land revenue or sum recoverable as an arrear of land revenue satisfied a Revenue Officer that the revenue or sum has fallen due and has not been paid to him, the Revenue Officer may, subject to any rules which the Board of Revenue may make in this behalf, recover it as if it were an arrear of land revenue.	
		Section 101(1) ..	A Revenue Officer may, for the purpose of framing any record or making any assessment under this Act, or on the application of any person interested, define the limits of any estate, or of any holding, field or other portion of an estate, and may, for the purpose of indicating those limits, require survey marks to be erected or repaired.	
		Section 101(2) ..	In defining the limits of any land under sub-section (1), the Revenue Officer may cause survey marks to be erected on any boundary already determined by, or by order of, any Court, Revenue Officer or Forest Settlement Officer, or restore any survey mark already set up by, or by order of, any Court or any such officer.	
		Section 101-A(2) ..	Upon an order being made under sub-section (1) the Collector shall fix a boundary line between such estates or portions of such estates accordingly and shall demarcate the same, in accordance with the rules (if any) made under section 100 and the provisions of section 101.	
		Section 101-B(1) ..	Every boundary line fixed in accordance with the provisions of section 101-A, shall, notwithstanding any law or custom, or any decree or order of any Court of law, to the contrary, be the fixed and constant boundary between the estates affected thereby, and the proprietary and all other rights in every holding, field or other portion of an estate situate on each side of the boundary line so fixed, shall, subject to the following proviso, vest in the landowners of the estate which lies on that side of the boundary line on which such holding, field, or other portion of an estate is situate : Provided that, if, by the operation of this section the proprietary or any other rights in any land which at the time a boundary line is fixed is under cultivation or reasonably fit for cultivation or yields any produce of substantial value, would be transferred from the landowners and other rightholders of any one estate to the landowners of any other estate, the Collector shall, by written order, direct that the rights in such land shall, subject to the provisions of section 101-C and section 101-D, not be so transferred unless and until the land, in respect of which any such order is made, ceases to be reasonably fit for cultivation, or to yield any produce of substantial value, and upon any such order being made the transfer of the right in such land shall be suspended accordingly. Provided further that when any portion of the land specified in any such order ceases to be reasonably fit for cultivation or to yield any produce of substantial value, the order shall, when the Collector, in writing so directs, cease to operate as to that portion.	

Serial No.	Act/Ordinance	Section/Para	Nature and extent of power	Remarks
1	2	3	4	5
12—*contd.*	Land Revenue Act, 1887—*contd.*	Section 101-B(2) ..	The decision of the Collector as to whether for the purposes of the proviso to sub-section (1) of this section, any land is or not reasonably fit for cultivation, or does or does not yield any produce of substantial value shall be final.	
		Section 101-C(1) ..	When any order has been made under the proviso to sub-section (1) of section 101-B, the landowners (or any of them) in whom, but for such order, the rights in the land specified therein, would vest, may apply, in writing, to the Collector to forthwith transfer the rights the transfer of which has been suspended by such order upon payment of compensation for the same.	
		Section 101-C(2) ..	When an application under sub-section (1) is made, the Collector shall— (*a*) fix a day for the hearing of the application ; (*b*) cause notice of the application, and of the day fixed for the hearing thereof, to be served on, or proclaimed for the information of all persons recorded as having rights in the land specified in the order made under the proviso to sub-section (1) of sction 101-B and all other person interested or claiming to be interested therein ; (*c*) upon the day so fixed for hearing, or any day to which the hearing may be adjourned, inquire into the rights in the land and award compensation in respect of all rights found established therein to the persons severally entitled thereto;	

		Section 101-C (2)—*concld.*	(*d*) inform the applicant of the aggregate amount of compensation so awarded and require him to deposit the amount with the Collector on or before a day to be fixed by him in that behalf; Provided that notwithstanding anything, in this sub-section contained, it shall be lawful for the Collector, in the discretion and at any time before an award of compensation thereon has been made, to reject any application made under sub-section (1).	
		Section 101-C(3) ..	In awarding compensatison under sub-seciton (2), the Collector shall be guided by the provisions of section 23 and section 24 of the Land Acquisition Act, 1894, so far as the same may be applicable to the circumstances of the case.	
		Section 101-C(4) ..	Upon the fifteenth day of May next after the whole amount of compensation so awarded has been deposited with the Collector, the order made under the proviso to sub-section (1) of section 101-B shall cease to operate, and the rights specified therein shall be transferred and vest in the manner prescribed in sub-section (1) of section 101-B, notwithstanding anything in the proviso thereof contained, and the Collector shall proceed to tender the compensation to the persons severally entitled to receive the same, under his award. If any such person shall refuse to accept the sum so awarded and tendered to him, it shall be placed to his credit in the public treasury.	
		Section 103 (1) ..	If the persons interested in the land fail to erect or repair survey-mark within thirty days from the date of their being required by a Revenue Officer to do so, the Revenue Officer may cause it to be erected or repaired.	
		Section 103 (2) ..	Where the Revenue Officer causes a survey mark to be erected or repaired, he shall, subject to any rules or direction under the last foregoing section, apportion the cost among the persons interested in the land in such manner as he deems just, and certify the same to the Collector.	
		Section 103(3) ..	The Collector may recover the cost as if it were an arrear of land Revenue.	
		Section 104 ..	Any Revenue Officer, and any person acting under the order of a Revenue Officer, may, in the discharge of any duty under this Act, enter upon and survey land and erect survey-marks thereon and demarcate the boundaries thereof, and do all other acts necessary for the proper performance of that duty.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*concld.* *contd.*	Section 105(1) ..	When any land is being surveyed in pursuance of rules under section 46, clause (c), any Revenue Officer directing the survey may, by notice or proclamation, require all persons having rights or interests in the land to indicate, within a specified time, by temporary marks of a kind to be described in the notice or proclamation the limits of those rights or interests.	
		Section 105 (2) ..	If a person to whom the notice or proclamation is addressed fails to comply with the requisition, he shall be liable at the discretion of the Revenue Officer to fine which may extent to ten rupees.	
		Section 106(2) ..	If the landowners fail to provide such persons or to provide them in sufficient number, such other persons as a Revenue Officer considers necessary may be employed and the cost of employing them recovered from the land owners as if it were an arrear of land revenue.	
		Section 108 (1) ..	If any person wilfully destroys or injuries or without lawful authority removes a survey mark lawfully erected, he may be ordered by a Revenue Officer to pay such fine not exceeding fifty rupees for each mark so destroyed, injured or removed as may, in the opinion of the Revenue Officer, be necessary, to defray the expenses of restoring the same and of rewarding the person, if any, who gave information of the destruction, injury or removal.	
		Section 109 ..	Every village officer of an estate shall be legally bound to furnish a Revenue Officer with information respecting the destruction or removal of, or any injury done to, any survey mark lawfully erected in the state.	
		Section 112(2) ..	Nothwithstanding anything in the last foregoing section partition of any of the following properties, namely: (*a*) any embankment, water course, well or tank and any land on which the supply of water to any such work may depend, (*b*) any grazing-ground, and (*c*) any land which is occupied as the site of a town or village and is assessed to land revenue,	

		Section 112 (2)—*concld.*	may be refused if in the opinion of the Revenue Officer the partition of such property is likely to cause in convenience to the co-sharers or other persons directly or indirectly interested therein or to diminish the utility thereof to those persons.	
		Section 113 ..	The Revenue Officer, on receiving the application under section 111, shall, if it is in order and not open to objection the face of it, fix a day for the hearing thereof, and (*a*) cause notice of the application and of the day so fixed to be served on such of the recorded co-sharers as have not joined in the application, and if the share of which partition is applied for is a share in a tenancy, on the landlord also; and (*b*) if he thinks fit, cause the notice to be served on, or proclaimed for the information of, any other persons whom he may deem to be directly or indirectly interested in the application.	
		Section 114 ..	On the day fixed for the hearing, or on any day to which the hearing may be adjourned, the Revenue Officer shall ascertain whether any of the other co-sharers desire the partition of their shares, also, and, if any of them so desire, he shall add them as applicants for partition.	
		Section 115 ..	After examining such of the co-sharers and other persons as may be present on that day, the Revenue Officer may, if he is of opinion that there is good and sufficient cause why partition should be absolutely disallowed, refuse the application, recording the grounds of his refusual.	
		Section 116 ..	If the Revenue Officer does not refuse the application under the last foregoing section, he shall ascertain the questions, if any, in dispute between any of the persons interested distinguishing between, (*a*) questions as to title in the peroperty of which partition is sought, and (*b*) questions as to the property to be divided, or the mode of making the partition.	
		Section 117 (1) ..	When there is a question as to title in any of the property of which partition is sought, the Revenue Officer may decline to grant the application for partition until the question has been determined by a competent Court, or he may himself proceed to determine the question as through he were such a Court.	
		Section 117 (2) ..	Where the Revenue Officer himself proceeds to determine the question, the following rules shall apply, namely :— (*a*) If the question is one over which a Revenue Court has jurisdiction, the Revenue Officer shall proceed as a Revenue Court under the provisions of the Punjab Tenancy Act, 1887.	

Serial No.	Act/Ordinance	Section/Para.	Nature of extent of power	REMARKS
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*contd.*	Section 117 (2)c—*cncld.*	(*b*) If the question is one over which a Civil Court has jurisdiction, the procedure of the Revenue Officer shall be that applicable to the trial of an original suit by a Civil Court, and he shall record judgment and decree containing the particulars required by the Code of Civil Procedure to be specified therein.	
		Section 118 (1) ..	When there is a question as to the property to be divided or the mode of making a partition, the Revenue Officer shall after such inquiry as he deems necessary, record an order stating his decision on the question and his reasons for the decision.	
		Section 118 (2) ..	An appeal may be preferred from an order under sub-section (1) within fifteen days from the date thereof and when such an appeal is preferred and the institution thereof has been certified to the Revenue Officer by the authority to whom the appeal has been preferred the Revenue Officer shall stay proceedings pending the disposal of the appeal.	
		Section 118 (3) ..	If an applicant for partition is dissatisfied with an original or appellate order under this section and applies for permission to withdraw from the preceedings in so far as they relate to the partition of his shares he shall be permitted to withdraw therefrom on such terms as the Revenue Officer thinks fit.	
		Section 118 (4) ..	When an applicant withdraws under the last foregoing sub-section the Revenue Officer may where the other applicants if any desire the continuance of the proceedings, continue them in so far as they relate to the partition of the shares of those other applicants.	
		Section 119 ..	When any such property as is referred to in section 112, clause (2), is excluded from partition, the Revenue Officer may determine the extent and manner to and in which the co-sharers and other persons interested therein may make use thereof, and the proportion in which expenditure incurred thereon and profits derived therefrom, respectively, are to be borne by and divided among those, persons or any of them.	

		Section 120 (1) ..	The amount of revenue to be paid in respect of each of the holdings into which land has been divided on a partition, and the amount of rent to be paid in respect of each of the portions into which a tenancy has been so divided, shall be determined by the Revenue Officer making the partition.	
		Section 120 (2) ..	The determination of the Revenue Officer as to the revenue to be paid in respect of each holding shall, where the estate in which the holding is situate is subject to a fixed assessment, be deemed to be an order under section 56, sub-section (1).	
		Section 121 ..	When a partition is completed, the Revenue Officer shall cause an instrument of partition to be prepared, and the date on which the partition is to take effect to be recorded therein.	
		Section 122 ..	An owner or tenant to whom any land or portion of a tenancy, as the case may be, is allotted in proceedings for partition shall be entitled to possession thereof as against the other parties to the proceedings and their legal representatives, and a Revenue Officer shall, on application made to him for the purpose by and such owner or tenant at any time within three years from the date recorded in the instrument of partition under the last foregoing section give effect to that instrument so far as it concerns the applicant as if it were a decree for immovable property.	
		Section 123 (1) ..	In any case in which a partition has been made without the intervention of Revenue Officer any party thereto may apply to a Revenue Officer for an order affirming the partition.	
		Section 123 (2) ..	On receiving the application the Revenue Officer shall inquire into the case and if he finds that the partition has in fact, been made, he may make an order affirming it and proceed under sections 119, 120, 121 and 122 or any of those sections, as circumstances may require, in the same manner as if the partition had been made on an application to himself under this Chapter.	
		Section 125 ..	When by established custom any land in an estate is subject to periodical re-distribution, a Revenue Officer may, on the application of any of the landowners, enforce the re-distribution according to the custom, and for this purpose may exercise all or any of the powers of a Revenue Officer in proceedings for partition.	
		Section 126 ..	The Revenue Officer by whom proceedings may be taken under this Chapter shall be a Revenue Officer of a class not below that of Assistant Collector of the first grade.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*contd.*	Section 127 (1) ..	Any Revenue Officer may, with the consent of the parties, refer to arbitration any dispute arising before him in any matter under this Act.	
		Section 127 (2) ..	A Collector or any Assistant Collector of the first grade may, without the consent of the parties, refer to arbitration any dispute before him with respect to— (*a*) any matter of which an entry is to be made in any record or register under Chapter IV; (*b*) any matter relating to the distributon of an assessment under section 66. (c) the limits of any estate or of any holding, field or other portion of an estate; or (*d*) the property to be divided at a partition or the mode of making a partition.	
		Section 128 (1) ..	In referring a dispute to arbitration a Revenue Officer shall make an order of reference, and specify therein the precise matter submittted to arbitration, the number of arbitrators which each party to the dispute is to nominate, the period within which arbitrators are to be nominated, and the period within which the award is to be delivered.	
		Section 128 (3) ..	If from any cause arbitrators are not nominated, or an award is not delivered within the period fixed therefor in the order of reference, the Revenue Officer may from time to time enlarge that period, or may cancel the order of reference.	
		Section 129 (1) ..	When an order of refence has been made, the parties may each nominate the number of arbitrators specified in the order, and the Revenue Officer shall nominate one other arbitrator.	
		Section 129 (2) ..	The Revenue Officer may, for reasons to be recorded by him, make an order disallowing any nomination made by either party and requiring the party to make another nomination within a time to be specified in the order.	

		Section 131 ..	In any of the following cases, namely :— (a) if either of the parties fails to nominate an arbitrator under sub-section (1) of section 129, within the period fixed in the order of reference, or (b) if the nomination of an arbitrator has been disallowed under sub-section (2) of section 129, and another arbitrator is not nominated within the time specified in the order under that sub-section, or having been so nominated, his nomination is also disallowed, or (c) if a party entitled to nominate an arbitrator in the place of another arbitrator under section 13 fails to nominate him within one week from the date of the communication to him of a notice requiring him to make the nomination, or (d) if an arbitrator nominated by the Revenue Officer dies, desires to be discharged or refuses or becomes incapable to act, the Revenue Officer may nominate a person as arbitrator.	
		Section 132 (1) ..	The Revenue Officer shall, on the application of the arbitrators, issue the same process to the parties and witnesses whom the arbitrarors desire to examine as he may issue in any proceeding under this Act before himself.	
		Section 133 (2) ..	The arbitrators shall present the award to the Revenue Officer in person unless that officer permits them to present it by agent.	
		Section 138 (1) ..	In either of the following cases, namely :— (a) when a headman or other landowner, or an assignee of land revenue to whom any sum other than rent is payable on account of a liability under this Act, refuses to receive the sum from, or to grant a receipt therefor to, the person by whom it is payable. (b) when the person by whom any such sum is payable is in doubt as to the headman or other land owner, or the assignee of land revenue, entitled to receive it, that person may apply to a Revenue Officer for leave to deposit the sum in his office, and the Revenue Officer shall receive the despot if, after examining the applicant, he is satisfied that there is sufficient ground for the application, and if the applicant pays the fee, if any, which may be chargeable on any notice to be issued of the receipt thereof.	
		Section 140 (1) ..	Revenue Officer receiving a deposit purporting to be made on any other account shall give notice of the receipt thereof to every person whom he has reason to believe claims or is entitled to the deposit and may pay the	

Serial No.	Act/Ordinance	Section	Nature and extent of power	Remarks
1	2	3	4	5
127—*contd.*	Land Revenue Act, 1887—*contd.*	Section 140(1)—*concld.*	amount thereof to any person appearing to him to be entitled to the same or may, if he thinks fit, retain the deposit pending the decision of a Civil Court as to the person so entitled.	
		Section 140 (2) ..	No suit or other proceedings shall be instituted against the Crown or against any officer of the Crown in respect of anything done by a Revenue Officer under this section, but nothing in this sub-section shall prevent any person entitled to receive the amount of any such deposit from rcovering it from a person to whom it has been paid by a Revenue Officer.	
		Section 141 ..	Orders issued by any Civil or Criminal Court for the attachment, sale or delivery of any land or interest in land, or for the attachement of the produce of any land, shall be addressed to the Collector or such Revenue Officer, as the Collector m y appoint in this behalf, and be executed by the Collector or that officer in ccordance with the provisions ot the law applicable to the Court issuing the orders and with any rules consistent therewith made by the Board of Revenue with the concurrence of the High Court and the previous sanction of the Provincial Government.	
		Section 142 (1) ..	Notwithstanding anything in any other enactment for the time being in force, an order issued by any Court for the attachment of assigned land revenue shall require the person by whom the revenue is payable to pay it to the Collector, and the Collector to hold it subject to the further orders of the Court.	
		Section 142 (2) ..	A payment to the Collector under sub-section (1) shall be an effectual discharge to the person making it.	
		Section 145 (1) ..	At any of the following times, namely :— (a) When the record-of-rights, is being made or specially revised for an estate, (b) when the local area in which an estate is situate is being generally re-assessed and before the assessment has been confirmed, (c) at any other time on an order made with respect to any estate by the Board of Revenue.	

			A Revenue Officer shall prepare a list of village of village-cesses, if only, levied in the estate which have been generally or specially approved by the Provincial Government.	
		Section 146 ..	Where a superior land owner is entitled to receive in respect of any land from an inferior landowner dues in kind or in cash of fluctuating quantity or amount, the Collector may— (a) on the application of both landowners, or (b) with the previous sanction of the Provincial Government on the application of either of them, commute those dues into a fixed percentage of the land revenue payable by the inferior landowners in respect of the land.	
		Section 147 (3) ..	If a landowner bound by an agreement under that sub-section to render public service in lieu of paying land revenue fails to render the service to the satisfaction of the Collector, the Collector may determine the portion of the land revenue remitted which is represented by the service in respect of which the landowner is in default, and with the previous sanction of the Commissioner, recover that portion as if it were an arrear of land revenue due in respect of the land for the land revenue whereof the service was substituted.	
		Section 148 (2) ..	That share may be recovered by the Collector by deduction of the amount thereof from the land revenue due to the assignee.	
		Section 149 ..	If a person required by a summon, notice, order or proclamation proceeding from a Revenue Officer to attend at a certain time and place within the limits of the estate in which he ordinarily resides, or in which he holds or cultivates land, fails to comply with the requisition, he shall be liable at the discretion of the Revenue Officer to fine which may extend to fifty rupees.	
		Section 150 (1) ..	Where land which has been reserved for the common purposes of the co-sharers therein has been encroached on by any co-sharer, a Revenue Officer may on the application of any other co-sharer, eject the encroaching co-sharer from the land and, by order proclaimed in manner mentioned in section 22, forbid repetition of the encroachment.	
		Section 150 (2) ..	The proceedings of the Revenue Officer under sub-section (1) shall be subject to any decree or order which may be subsequently passed by any Court of competent jurisdiction.	
		Section 152 (1) ..	A Revenue Officer may give and apportion the costs of any proceedings under this Act in any manner he thinks fit.	

Serial No.	Act/Ordinance	Section/Para	Nature and extent of power	REMARKS
1	2	3	4	5
	Land Revenue Act, 1887—*concld*	Section 152 (2) ..	But if he orders that the costs of any such proceedings shall not follow the event, he shall record his reasons for the order.	
		Section 154 (1) ..	A Revenue Officer, or a person employed in a revenue office, shall not— (a) purchase or bid for, either in person or by agent in his own name or in that of another, or jointly or in shares with others, any property which any Revenue Officer or Revenue Court in the district in which he is employed has ordered to be sold, or (b) in contravention of any rules made by the Provincial Government in his behalf, engage in trade in that district.	
128	The Punjab Alienation of Land Act, 1900.	Section 3(1) ..	A person who desires to make a permanent alienation of his land shall be at liberty to make such alienation where— (a) the alienor is not a member of an agricultural tribe; or (b) the alienor is a member of an agricultural tribe and the alienee is a member of the same tribe or of a tribe in the same group :	
		Section 3(2) ..	Except in the cases provided for in sub-section (1), a permanent alienation of land shall not take effect as such unless and until sanction is given thereto by a Deputy Commissioner ; Provided that— (1) sanction may be given after the act of alienation is otherwise completed, and (2) sanction shall not be necessary in the case of— (a) a sale of a right of occupancy by a tenant to his landlord, or (b) a gift made in good faith for a religious or charitable purpose, whether into vivos or by will.	
		Section 3 (3) ..	The Deputy Commissioner shall inquire into the circumstances of the alienation and shall have discretion to grant or refuse the sanction required by sub-section (2).	

		Section 3-A ..	Except with the sanction of the Deputy Commissioner as provided for in this Act no member of an agricultural tribe shall make an alienation of his land to a member of the same tribe or of a tribe in the same group who being a creditor has advanced to such person any loan, until such loan has been repaid or settled in full by the debtor and a period of three years has elapsed since repayment or settlement, provided that if the Deputy Commissioner after making such enquiries from the parties concerned as may be prescribed in this behalf by the Provincial Government, finds that an alienation has been made by a debtor to a person other than his creditor the effect of which is to pass the beneficial interest to such creditor in evasion of the provision of this section, he shall after recording his reasons by order in writing, declare the alienation void and shall eject any person in occupation of the land by virtue of such alienation and shall place the alienor in possession thereof.	
		Section 3 B ..	In case of any resistance to an order of ejectment passed under the provisions of section 3-A, the Deputy Commissioner may exercise all the powers conferred on a civil court by rules 97 and 98 of Order XXI of the Code of Civil Procedure.	
		Section 5 ..	When a Deputy Commissioner sanctions a permanent alienation of land, his order shall not be taken to decide or affect any question of title, or any question relating to any reversionary right or right of pre-emption.	
		Section 6(*i*) ..	If a member of an agricultural tribe mortgages his land and the mortgagee is not a member of the same tribe, or of a tribe in the same group, the mortgage shall be made in one of the following forms :—	
		Section 6 (1) (*b*) ..	In the form of a mortgage without possession, subject to the condition that, if the mortgagor fails to pay principal and interest according to his contract, the mortgagee may apply to the Deputy Commissioner to place him in possession for such term not exceeding twenty years as the Deputy Commissioner may consider to be equitable, the mortgage to be treated as a usufructuary mortgage for the term of the mortgagee's possession and for such sum as may be due to the mortgagee on account of the balance of principal due and of interest due not exceeding the amount claimable as simple interest at such rate and for such period as the Deputy Commissioner thinks reasonable ; or	
		Section 6(2) ..	If in the case of mortgage in form (*c*) the mortgagor is ejected or relinquishes or abandons cultivating occupancy of the land, the mortgage shall take effect as a usufructuary mortgage in form (*a*) for such term not exceeding twenty years from the date of ejectment, relinquishment or abandonment, and for such sum of money as the Deputy Commissioner considers to be reasonable.	

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128—*contd.*	The Punjab Alienation of Land Act, 1900—*concld.*	Section 6 (3) ..	The Deputy Commissioner, if he accepts the application of a mortgagee under sub-section (1)(*b*), shall have power to eject the mortgagor, and as against the mortgagor to place the mortgagee in possession.	
		Section 7 ..	In the case of mortgages made under section 6—	
		Section 7 (3) ..	The mortgagor may redeem his land at any time during the currency of the mortgage, on payment of the mortgage debt or, in the case or a mortgage in form (*a*) or form (*b*), of such proportion of the mortgage debt as the Deputy Commissioner determines to be equitable ; and	
		Section 7(5) ..	If a mortgagor who has applied to the Deputy Commissioner under sub-section (3) proves to the satisfaction of the Deputy Commissioner that he has paid the mortgage-debt or such proportion of the mortgage-debt as the Deputy Commissioner has determined to be equitable, or deposits with the Deputy Commissioner the amount of such mortgage-debt or of such proportion thereof, the redemption of the land shall be deemed to have taken place, and the Deputy Commissioner shall have power to eject the mortgagee, if in possession, and as against the mortgagee to place the mortgagor in possession.	
		Section 9 (1) ..	If a member of an agricultural tribe makes a mortgage of his land in any manner or form not permitted by or under this Act, the Deputy Commissioner shall have authority to revise and alter the terms of the mortgage so as to bring it into accordance with such form of mortgage permitted by or under this Act as mortgagee appears to him to be equitably to claim.	
		Section 9(2) ..	If a member of an agricultural tribe has before the commencement of this act made a mortgage of his land in which there is a condition intended to operate by way of conditional sale, the Deputy Commissioner shall be empowered at any time during the currency of the mortgage to put the mortgagee to his election whether he will agree to the said condition being struck out, or to accept in lieu of the said mortgage a mortgage which may at the mortgagee's option be either in form (*a*) or in form (*b*) as permitted by section 6 and which shall be made for such period not exceeding the period permitted by the said section and for such sum of money as the Deputy Commissioner considers to be reasonable.	
		Section 9 (3) ..	If proceedings for the enforcement of a condition intended to operate by way of conditional sale are instituted or are pending at the commencement of	

		Section 9(3)	this Act in any Civil Court, or if a suit is instituted in any Civil Court on a mortgage to which sub-section (1) or sub-section (2) applies, the Court shall refer the case to the Deputy Commissioner with a view to the exercise of the power conferred by the sub-section applying thereto.	
		Section 9(4) ..	When mortgagee put to his election under sub-section (2) agrees to accept in lieu of his mortgage, a mortgage in form (*a*) or in form (*b*) as permited by sect on 6 for the period and for the sum of money considered by the Deputy Commissioner to be reasonable, and the mortgagor cannot be found, or fails to appear when duly served with notice to do so, or refuses or neglects to execute such mortgage, the Deputy Commissioner shall have authority to execute such mortgage on such terms as to costs as he may fix and the mortgage so executed shall have effect as if it had been executed by the mortgagor. The Deputy Commissioner may for any reason which he deems sufficient set aside any *exparte* proceedings taken under this sub-section.	
		Section 13 ..	If a mortgagee, lessee or farmer holding possession under a mortgage made under section 6 or under a lease or farm made under section 11 or under mortgage, lease or farm made under section 12 remains in possession after the expiry of the terms for which he is entitled to hold under his mortgage, lease or farm, the Deputy Commissioner may, of his own motion or on the application of the person entitled to possession, eject such mortgagee, lessee or farmer and place the person so entitled in possession.	
		Section 13-A(2) ..	If the Deputy Commissioner either of his own motion or on the application of the alienor, is satisfied after making such enquiries as may be prescribed from the parties concerned, and recording evidence that an alienation is void under the provisions of the preceding sub-section he shall by order in writing, after recording his reasons, eject any person in occupation of the land under such sale, exchange, gift, will, mortgage, lease or farm and place the alienor in possession: Provided that the Deputy Commissioner may, in ordering the ejectment of a person who is a *bona fide* transferee for consideration before the 20th June 1938, and is in occupation of such land, allow to any such person, other than the original transferee, compensation or improvements (as defined in section 4 of the Punjab Tenancy Act, 1887), effected by him while in occupation, up to a sum not exceeding in value the consideration for the original transaction. Such compensation shall be assessed by the Deputy Commissioner on such principles as may be prescribed ; and shall be deposited by the alienor, and paid to the persons so ejected, in such manner as may be prescribed.	

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128—*contd.*	The Punjab Alienation of Land Act, 1900—*contd.*	Section 13-A(3) ..	For the purpose of enforcing an order under sub-section (2), the Deputy Commissioner may exercise all the powers of a Civil Court conferred by Order 21, Rules 97 and 98 of the Code of Civil Procedure.	
		Section 13-E ..	A civil court shall not have jurisdiction in any matter of which the Deputy Commissioner is empowered to dispose under section 13-A or take cognizance of the manner in which he exercises any power vested in him by that section.	
		Section 14 ..	Any permanent alienation which under section 3 or 3-A is not to take effect as such until the sanction of a Deputy Commissioner is given thereto shall, until such sanction is given or if such sanction has been refused, take effect as a usufructuary mortgage in form (*a*) permitted by section 6 for such term not exceeding twenty years and on such conditions as the Deputy Commissioner considers to be reasonable.	
		Section 15 ..	Every agreement whereby a member of an agricultural tribe purports to alienate or charge the produce of his land or any part of, or share in such produce for more than one year shall not take effect for more than one year from the date of the agreement unless the sanction of a Deputy Commissioner is given thereto, and shall, until such sanction is given or if such sanction is refused, take effect as if it had been made for one year. *Explanation*—The produce of land means— (*a*) crops and other products of the earth standing or ungathered on the holding ; (*b*) crops and other products of the earth which have been grown on the land during the past year and have been reaped or gathered.	
		Section 16 (2-A) ..	Every lease, farm or mortgage made under sub-section (2) shall be determinable at any time by the owner of the land by tendering to the Deputy Commissioner an amount which shall bear to the amount in consideration for which transfer has been made the same proportion, as the unexpired period of transfer bears to the total period for which the transfer has been made. *Explanation*—Lease includes a temporary alienation of land in satisfaction of a money decree.	

		Section 16 (2-B) ..	The Deputy Commissioner shall give notice to the parties and after hearing them and recording such evidence as may be produced shall determine the amount to be tendered under sub-section (2-A).	
		Section 16 (2-C) ..	When the amount as determined has been deposited with the Deputy Commissioner he shall make an order that the lease, farm or mortgage be immediately determined ; that the owner be put in possession as against the lessee, farmer or mortgagee; and that the amount in deposit be paid to the person entitled.	
		Section 16 (2-D) ..	For the purpose of enforcing an order under sub-section (2-C), the Deputy Commissioner may exercise all the powers of a civil court conferred by order XXI, rules 97 and 98 of the Code of Civil Procedure.	
		Section 16 (2-E) ..	A civil court shall not have jurisdiction in any matter of which the Deputy Commissioner is empowered to dispose under sub-sections (2-A), (2-B), (2-C) and (2-D) or take cognizance of the manner in which he exercises any power vested in him by these sub-sections.	
		Section 16 (2-F.) ..	The order of the Deputy Commissioner shall be subject to appeal or revision in the manner and to the extent prescribed in sections 13-B and 13-C and the period of limitation shall be as laid down in section 13-D.	
		Section 17 ..	Notwithstanding anything in the Registration Act, 1877, or in any rule made under section 89 of that Act— (1) an instrument which contravenes any provision of this Act shall not be admitted to registration ; (2) an instrument which records or gives effect to any transaction which requires the sanction of a Deputy Commissioner shall not be admitted to registration until a certified copy of the order giving such sanction is produced to the officer empowered to register such instrument.	
		Section 18 ..	(1) Where, by reasons of any transaction which under this Act requires the sanction of a Deputy Commissioner, a person claims to have acquired a right, the acquisition whereof he is bound to report under section 34 of the Punjab Land Revenue Act, 1887, such person shall, in making his report, state whether the sanction required has been obtained or not, and his right acquired shall not be entered the record-of-rights or in any annual record until he produces such evidence of the order by which such sanction is given as may be required by any rules made under this Act.	

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128—*concld.*	The Punjab Alienation of Land Act, 1900—*concld.*	Section *18—concld.*	(2) No right claimed by reason of any transaction or condition which is declared by this Act to be null and void shall be entered in the record of rights or in any annual record.	
		Section 21-A(1) ..	Notwithstanding anything contained in the Code of Civil Procedure or in any other Act for the time being in force, every Civil Court which a decree or order involving (1) the permanent alienation of his land by a member of an agricultural tribe or (2) the mortgage by a member of an agricultural tribe of his land when the mortgagee is not a member of the same tribe or of a tribe in the same group, shall send to the Deputy Commissioner copy of such decree or order.	
		Section 21-A(2) ..	When it appears to the Deputy Commissioner that any Civil Court has either before or after the date when this section comes into operation, passed a decree or order contrary to any of the provisions of this Act, the Deputy Commissioner may apply for the revision of such decree or order to the Court, if any to which an appeal would lie from such decree or order or in which an appeal could have been instituted at the time when the decree or order was passed or in any other case to the High Court. And when the Court finds that such decree or order is contrary to any of the provisions of this Act, it shall alter it so as to make it consistent with this Act. Such application shall be made within two months of the date upon which the Deputy Commissioner is informed of such decree or order.	
		Section 21-A (3) ..	When any such Appellate Court passes an order, rejecting such application the Deputy Commissioner may, within two months after the date upon which he is informed of such order apply to the High Court for revision thereof.	
129	The Punjab Land Presevation (Chos) Act, 1900.	Section 7 (1) ..	When, in respect of any local area, a notification has been published under section 3, and— (*a*) upon such publication any general order made under section 4 or section 5-A becomes applicable to such area, or, (*b*) any special order under sections 4, 5 or section 5-A, is made in respect or such area,	

			the Deputy Commissioner shall cause public notice of the provisions of such general or special order to be given, and if the provisions of any such order restrict or prohibit the exercise of any existing rights, shall also publish in the language of the country and in every town and village the boundaries of which include any portion of the area within or over which the exercise of any such rights is so restricted or prohibited a proclamation stating the regulations, restrictions and prohibitions which have been imposed, by any such order, within the limits of such area or in any part or parts thereof; fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any compensation in respect of any right so restricted or prohibited, within such period either to present to such officer a written notice specifying, or to appear before him and state, the nature and extent of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.	
		Section 7(2) ..	Any claim not preferred within the time fixed in the proclamation made under sub-section (1), shall be rejected : Provided that, with the previous sanction of the Commissioner, the Deputy Commissioner may admit any such claim as if it had been made within such period.	
		Section 7-A ..	(1) When an order has issued under section 5-A, the Deputy Commissioner may by notice require the owner or occupier of the land to execute such works or take such measures as may be specified in the notice. (2) Every such notice shall state the time within which the works are to be executed or measures are to be taken. (3) A person aggrieved by an order contained in such a notice as aforesaid may, within thirty days from the service of such notice or within such longer period as the Deputy Commissioner may allow in this behalf, serve a notice of his objections on the Deputy Commissioner in such manner as may be provided by the rules made under this Act. (4) If and in so far as an objection under this section is based on the ground of some informality, defect or error in or in connection with the notice, the Deputy Commissioner shall dismiss the objection, if he is satisfied that the informality, defect or error was not a material one. (5) If the objection is brought on all or any of the following grounds, that is to say :— (*a*) that the notice might lawfully have been served on the occupier of the land in question instead of on the owner, or on the owner instead of on the occupier, and that it would have been equitable for it to have been so served ;	

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129—*cont d.*	The Punjab Land Preservation (Chos), Act, 1900—*contd.*	Section 7-A—*contd.*	(*b*) that some other person, being the owner, occupancy tenant, mortgagee with possession or lessee or farm holder or possessing some other right in or over the land to be benefited, ought to contribute towards the expenses of executing any works or taking any measures required ; (*c*) where the work or measure is for the common benefit of the land in question and other land, that some other person being owner or occupier of land to be benefited, ought to contribute towards the expenses of executing any works or taking any measures required ; the objector shall serve a copy of his notice of objection on each other person referred to, and on the hearing of the objection, the Deputy Commissioner may make such order as he thinks fit with respect to the person by whom any work is to be executed or measure is to be taken and the contribution to be made by any other person towards the cost of the work or measure, or as to the proportions in which any expenses which may become recoverable by the Deputy Commissioner under sub-section (6) are to be borne by the objector and such other person ; Provided that no such order shall be made unless the person who is likely to be affected thereby has been given a reasonable opportunity of being heard. In exercising his power under this sub-section, the Deputy Commissioner shall have regard — (*a*) as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of the tenancy and to the nature of the works and measures required ; and (*b*) in any case, to the degree of benefit to be derived by the different persons concerned.	

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			(6) Notwithstanding anything to the contrary in any law for the time being in force, no person required by a notice or an order under this section to execute any work or to take any measure shall be required to obtain the consent of any other person before complying with such notice or order. (7) Subject to such right of objection as arfoesaid and the right of appeal under section 18, if the person required by the notice to execute works or to take measures fails to execute the works or to take the measures indicated within the time thereby limited, the Deputy Commissioner may himself or by an agent execute the works or take the measures and recover from that person the expenses reasonably incurred by him in so doing : Provided that it shall not be necessary for the Deputy Commissioner to wait for the decision of any objection other than an objection under clause (*a*) of sub-section (5), or an appeal against any decision on such objection, before taking action under this sub-section ; Provided further that the maximum amount that shall be recoverable in respect of any land in regard to which the work has been executed or the measure taken shall not exceed— (*a*) where the work is required to be executed or the measure to be taken by the owner, ten times the land revenue assessed on all the lands owned by him in the Punjab ; and (*b*) where the work is required to be executed by the occupier, ten times the land revenue assessed on all the lands occupied by him in the estate in which such land is situated. (8) If the cost of any work executed or any measure taken by any person remains unpaid by the person from whom it is due after the date specified in a notice issued in this behalf by the Deputy Commissioner or such other date as is fixed by him, such cost shall be recoverable as an arrear of land revenue and a certificate issued by the Deputy Commissioner in this behalf shall be final and conclusive evidence of the sum so recoverable and the person liable for the same. (9) Every order issued under this section shall be published in such manner as may be prescribed in the rules made under this Act, and upon such publication every person affected thereby shall, unless the contrary be proved, be deemed to have had due notice thereof. (10) The Deputy Commissioner may by general or special order authorise any revenue officer subordinate to him to enquire into any objection that may be brought under this section : Provided that no final order on any such objection shall be passed except by the Deputy Commissioner himself.	

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129—*contd.*	The Punjab Land Preservation (Cho) Act, 1900—*concld.*	Section 7-A—*contd.*	(11) In making an order on objections brought under this section, the Deputy Commissioner shall be guided by such rules, if any, as the Provincial Government may make in this behalf. (12) For the purposes of this section, the expression "estate" shall have the meaning assigned thereto in the Punjab Land Revenue Act, 1887.	
		Section 10(1) ..	The Deputy Commissioner shall, for the purposes of every notification issued under sub-section (2) of section 8, fix the limits of the area comprised within the bed of the nalah to which such notification is to apply.	
		Section 10 (2) ..	Upon the publication of a notification containing any declaration under sub-section (2) of section 8, it shall be lawful for the Deputy Commissioner, to— (*a*) take possession of the area specified in such declaration ; (*b*) eject all persons therefrom ; and to (*c*) deal with such area, while it remains vested in Government, as if it were the absolute property of Government.	
		Section 13 ..	It shall be lawful for the Deputy Commissioner and for his subordinate officers, servants, care-takers and workmen, from time to time, as occasion may require— (*a*) to enter upon and survey any land comprised within any area in regard to which any notification has been issued under section 3 or section 8 or in regard to which a notification is proposed to be issued under section 5-A; (*b*) to erect bench-marks on and to delimit and demarcate the boundaries of any such local area ; and	

			(c) To do all other acts and things which may be necessary in order adequately to preserve or protect any land or to give effect to all or any of the provisions of this Act: Provided that reasonable compensation, to be assessed and determined in the manner in this Act provided, shall be made in respect of any damage or injury caused to the property or rights of any person in carrying out any operations under the provisions of this section, but no such compensation shall be payable in respect of anything done under the said provisions within the limits of any local area notified under section 8.	
		Section 14 (1) ..	The Deputy Commissioner shall— (a) fix a date for inquiring into all claims made under section 7 and may in his discretion, from time to time adjourn the inquiry to a date to be fixed by him ; (b) record in writing all statements made under section 7 ; (c) inquire into all claims duly preferred under section 7 ; and (d) make and award upon each such claim, setting out therein the nature and extent of the right claimed, the person or persons making such claim, the extent (if any) to which, and the person, or persons in whose favour, the right claimed is established, the extent to which it is to be restricted or prohibited and the nature and amount of the compensation (if any awarded).	
		Section 14 (2) ..	For the purposes of every such inquiry, the Deputy Commissioner may exercise all or any of the powers of a Civil Court in the trial of suits under the Code of Civil Procedure.	
		Section 14(3) ..	The Deputy Commissioner shall announce his award to such persons interested, or their respresentatives, as are present, and shall record the acceptance of those who accept it. To such as are not present, the Deputy Commissioner shall cause immediate notice of his award to be given.	
		Section 15 (1) ..	In determining the amount of compensation, the Deputy Commissioner shall be guided, so far as may be, by the provisions of sections 23 and 24 of the Land Acquisition Act, 1894, and, as to matters which cannot be dealt with under those provisions, by what is just and reasonable in the circumstances of each case.	
		Section 15 (2) ..	The Deputy Commissioner may, with the sanction of the Provincial Government and the consent of the person entitled, instead of money award compensation in land or by reduction in revenue or in any other form.	

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129—*concld.*	The Punjab Land Preservation (Chos), Act 1900—*concld.*	Section 16 (1) ..	For every area, notified under section 3 or section 8, the Deputy Commissioner shall prepare a record setting forth the nature, description, local situation and extent of all rights mentioned in section 4 and section 5— (a) existing within such area at the time of the publication of the notification relating thereto under section 3 or section 8; (b) regulated, restricted, or prohibited by any order under section 4 or section 5.	
		Section 17(1) ..	Upon the publication of a notification issued under any of the provisions of this Act, the Deputy Commissioner shall cause public notice of the substance thereof to be given at convenient places in the locality to which such notification relates.	
		Section 18 ..	Every order passed and every award made by a Deputy Commissioner under this Act, shall for the purposes of appeal, review and revision, respectively, be deemed to be the order of a Collector within the meaning of sections 13, 14, 15 and 16 of the Punjab Land Revenue Act, 1887 ; Provided that nothing in this Act contained shall be deemed to exclude the jurisdiction of any Civil Court to decide any dispute arising between the persons interested in any compensation awarded as to the apportionment of distribution thereof amongst such pers ons or any of them.	
130	The Frontier Crimes Regulation, 1901.	Section 4(1) ..	In any district in the whole or any part of which all or any of the provisions of this Regulation are for the time being in force, the Provincial Government may appoint any Magistrate or Magistrates of the first class to be an Additional District Magistrate or Additional District Magistrates, without any limit of time.	
		Section 4 (2) ..	Every Additional District Magistrate so appointed shall have all, the ordinary powers of a District Magistrate specified in the fifth part of the third schedule to the Code of Criminal Procedure, 1898.	

		Section 4 (3) ..	When exercising any of the powers of a Deputy Commissioner under this Regulation, an Additional District Magistrate shall be deemed, for the purposes of this Regulation, to be the Deputy Commissioner.	
		Section 4 (4) ..	Every Additional District Magistrate shall exercise his powers in subordination to the District Magistrate, and in such cases or classes of cases, and within such local limits, as the District Magistrate may, by order in writing, direct.	
		Section 5 (1) ..	The District Magistrate may withdraw any case from, or recall, any case which he has made over to an Additional District Magistrate, whether the Additional District Magistrate is exercising jurisdiction with respect to the case as a Magistrate or as a Deputy Commissioner.	
			(2) If the case may, under the Code of Criminal Procedure, 1898, be referred to another Magistrate competent to inquire into or try it, the District Magistrate may, instead of disposing of the case himself, refer it to such other Magistrate for inquiry or trial as the case may be.	
		Section 8 (1) ..	Where the Deputy Commissioner is satisfied, from a police report or other information, that a dispute exists which is likely to cause a bloodfeud, murder, or culpable homicide not amounting to murder, or mischief, or a breach of the peace, or in which either or any of the parties belongs to a frontier tribe, he may, if he considers that the settlement thereof in the manner provided by this section will tend to prevent or terminate the consequences anticipated, and if a suit is not pending in respect of the dispute, make an order in writing, stating the grounds of his being so satisfied, referring the dispute to a Council of Elders, and requiring the Council to come to a finding on the matters in dispute after making such inquiry as may be necessary and after hearing the parties. The members of the Council of Elders shall, in each case, be nominated and appointed by the Deputy Commissioner.	
		Section 8 (2) ..	The order of reference made under sub-section (1) shall state the matter or matters on which the finding of the Council of Elders is required.	
		Section 8 (3) ..	On receipt of the finding of the Council of Elders under this section, the Deputy Commissioner may— (*a*) remand the case to the Council for a further finding ; or (*b*) refer the case to a second Council ; or (*c*) refer the parties to the Civil Court ; or (*d*) pass a decree in accordance with the finding of the Council, or of not less than three-fourths of the members thereof, on any matter stated in the reference ; or (*e*) declare that further proceedings under this section are not required.	

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130—*contd.*	The Frontier Crimes Regulation 1901—*contd.*	Section 9 ..	A decree passed under section 8, sub-section (3), clause (*d*), shall not give effect to any finding or part of a finding which, in the opinion of the Deputy Commissioner, is contrary to good conscience or public policy, but shall— (*a*) be a final settlement of the case so far as the decree relates to any matter stated in the reference, although other matters here stated may remain undisposed of ; and (*b*) have to that extent and subject to the provisions of this Regulation with respect to revision, the same effect as a decree of a Civil Court of ultimate resort, and be enforced by the Deputy Commissioner in the same manner as a decree of such a Court may be enforced.	
		Section 10 ..	No Civil Court shall take cognizance of any claim with respect to which the Deputy Commissioner has proceeded under section 8, sub-section (3) clause (*a*), clause (*b*) or clause (*d*).	
		Section 11 (1) ..	Where, in the opinion of the Commissioner or Deputy Commissioner, it is in expedient that the question of the guilt or innocence of any person or persons accused of any offence, or of any of several persons so accused, should be tried by a Court of any of the classes mentioned in section 8 of Code of Criminal Procedure, 1898, the Deputy Commissioner may or if the Commissioner so directs, shall by order in writing, refer the question to the decision of a Council of Elders, and require the Council to come to a finding on the question after such inquiry as may be necessary and after hearing the accused person. The members of the Council of Elders shall, in each case, be nominated and appointed by the Deputy Commissioner.	

		Section 11(2) ..	Where a reference to a Council of Elders is made under sub-section (1) and the members of the Council have been nominated, the names of the members so nominated shall, as soon as may be, be communicated to the accused person, and any objection which he may then make to the nomination of any such member shall be recorded. The Deputy Commissioner shall consider every objection made by an accused person under this sub-section, and may, in his discretion, either accept or reject the objection, provided that, in the latter case, he shall record his reasons for so doing. The Deputy Commissioner shall, after disposing of any objection made by the accused person, appoint the members of the Council.	
		Section 11 (3) ..	On receipt of the finding of the Council of Elders under this section, the Deputy Commissioner may— (a) remand the question to the Council for a further finding ; or (b) refer the question to a second Council ; or (c) acquit or discharge the accused person or persons, or any of them; or (d) in accordance with the finding on any matter of fact of the Council, or of not less than three-fourths of the members thereof, convict the accused person or persons, or any of them of any offence of which the facts so found show him or them to be guilty ; Provided that a person discharged under clause (c) shall not be liable to be retired for any offence arising out of the same facts after the expiry of two years from the date of such discharge.	
		Section 12(1) ..	Where the Deputy Commissioner convicts a person under section 11, sub-section (3) clause (d) he may pass upon him any sentence of fine.	
		Section 12(2) ..	Where the Deputy Commissioner so convicts a person of an offence mentioned in the second schedule, he may, whatever may be the punishment prescribed for the offence, sentence the person, in lieu of or in additio to fine, to be imprisoned for a term which may extend to seven years, or, subject to the provisions of section 393 of the Code of Criminal Procedure, 1898 to be whipped, or to be whipped and imprisoned for a term which may extend to five years, or to be transported for a term which may extend to seven years and, where he so convicts a person of an offence punishable with transportation or with imprisonment for a term exceeding seven years, he may, subject to confirmation by the Commissioner, sentence the person to a term either of transportation or of imprisonment exceeding seven years but not exceeding fourteen years;	

Serial No.	Act/Ordinance	Section/Para	Nature and extent of power	REMARKS
1	2	3	4	5
10—contd.	The Frontier Crimes Regulation, 1901—*contd.*	Section 12(2)—*concld.* ..	Provided first, that a sentence of whipping shall not be passed on any person so convicted of an offence under section 121, 121-A, 122, 123, 124-A,125, 126, 127, 144, 150, 216, 216-A, 400, 401, 402, 494 or 495 of the Pakistan Penal Code. Provided secondly, that a sentence of transportation or imprisonment for an offence shall not be for a longer term than that (if any) prescribed for the offence ; and Provided, thirdly, that a sentence of transportation shall not be passed for an offence which is not punishable with transportation or with imprisonment for a term which may extend to seven years or more.	
		Section 13 (1) ..	Any sentence passed under section 12 shall be executed in the manner provided for the execution of sentences passed by a Court of any of the classes mentioned in section 6 of the Code of Criminal Procedure, 1898.	
		Section 13 (2) ..	For the purposes of sections 64 to 67 of the Pakistan Penal Code in reference to a sentence under section 12 of this Regulation— (a) an offence punishable with death or transportation for life shall be deemed to be punishable with rigorous imprisonment for a term which may extend to ten years; and (b) the imprisonment in default of payment of fine may be rigorous or simple at the discretion of the Deputy Commissioner.	
		Section 14 ..	The powers conferred by section 11 on the Commissioner and Deputy Commissioner, respectively may be exercised by them, in cases committed to the Court of Session, at any time before the trial before that Court has commenced, and, in cases pending before any court inferior to the court of Sessions at any time before an order of conviction or acquittal has been made.	
		Section 15 (1) ..	In any trial before a Court of Session, the Public Prosecutor may, when instructed in writing in that behalf by the Commissioner or Deputy Commissioner, at any time before an order of conviction or acquittal has been made. With respect to any accused person withdraw from the prosecution of such person in order that the case may be referred to a Council of Elders.	

		Section 15 (2) ..	The Sessions Judge shall thereupon stay proceedings with respect to such person, and the Deputy Commissioner shall refer the case to a Council of Elders.	
		Section 17 ..	The Deputy Comm'ssioner may, if he thinks fit, at any time reconsider and set aside any order of the Deputy Commissioner under this Regulation— (a) directing a reference to a Council of Elders, or (b) refusing to make such a reference.	
		Section 18 (1) ...	Where a Council of Elders to which a reference has been made under this Regulation, makes any recommendation to which effect might be given if it were a finding on a matter or question referred to the Council under this Regulation the Deputy Commissioner may, if the recommendation affects a person mentioned on the order of reference and is relevant to the matter or question actually referred, deal with the recommendation or any part of it as if it were a finding under section 8 or section 11 : Provided that no decree or sentence may be passed on any such recommendation as aforesaid against any person who has not had the claim or charge fully explained to him and been given an opportunity of entering upon his defence in regard thereto.	
		Section 18 (2) ..	Where the Deputy Commissioner deals with a recommendation under sub-section (1), he may pass any such decree as is authorised by section 8, or any such sentence as is authorised by section 12, sub-section (1), and the decree or sentence shall have the same effect and be enforced in the same manner as if it were a decree or sentence passed under section 8 or section 12, sub-section (1), as the case may be.	
		Section 19(1) ..	Where the Deputy Commissioner passes, under this Chapter a sentence of fine exceeding two hundred rupees, or of imprisonment for a term exceeding three months, or of transportation, he shall make a record of the facts of the case of the offence committed and of his reasons for passing the sentence.	
		Section 19(2) ..	The record shall be made by the Deputy Commissioner in English and in his own hand, unless for any sufficient reason he is prevented from so making it, in which case he shall record the reasons of his inability and shall cause the record to be made from his dictation in open Court.	
		Section 20 ..	Where a reference is made to a Council of Elders under this Chapter, the Deputy Commissioner may exercise all or any of the powers conferred by the Code of Civil Procedure and the Code of Criminal Procedure, 1898, respectively, as the case may be, for the purpose of compelling the attendance, before himself or the Council of Elders, of the parties and witnesses, or any of them, in any case and at any stage of the proceedings.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
130—*contd.*	The Frontier Crimes Regulation 1901—*contd.*	Section 21 ..	In the event of any frontier tribe, or of any section or members of such tribe, acting in a hostile or unfriendly manner towards the Government towards persons residing within Pakistan, the Deputy Commissioner may, with the previous sanction of the Commissioner, by order in writing, direct— (a) the seizure, wherever they may be found of all or any of the members of such tribe and of all or any property belonging to them or any of them; (b) the detention in safe custody of any person or property so seized; and (c) the confiscation of any such property; and may, with the like sanction, by public proclamation ; (d) debar all or any members of the tribe from all access into Pakistan; and (e) prohibit all or any person within the limits of Pakistan from all inter-course or communication of any kind whatsoever, or of any specified kind or kinds with such tribe or any section or members thereof.	
		Section 22 ..	Wherefrom the circumstances of any case, there appears to be good reason to believe that the inhabitants of any village, or part of a village, or any of them, have— (a) connived at, or in any way abetted, the commission of an offence ; or (b) failed to render all assistance in their power to discover the offenders or to effect their arrest ; or (c) connived at the escape of, or harboured, any offender or person suspected of having taken part in the Commission of an offence; or	

			(*d*) combined to suppress material evidence of the commission of an offence ; the Deputy Commissioner, may, with the previous sanction of the Commissioner, impose a fine on the inhabitants of such village or part of a village, or any of them as whole.	
		Section 26 ..	Where it is shown, to the satisfaction of the Deputy Commissioner that any person who is in the enjoyment of an assignment or remission of land-revenue or allowance payable out of public funds, has been guilty of a serious offence, or has colluded with or harboured any criminal, or has supresses material evidence of the commission of any offence, or has failed on the investigation of any criminal case, to render loyal and proper assistance to the authorities to the best of his ability, the Deputy Commissioner may, in addition to any other penalty to which such person may be liable under any law for the time being in force, direct the forfeiture, in whole or, in part and for a term or in perpetuity, of such assignment or remission of land revenue or allowance, as the case may be. *Explanation*—For the purposes of this section the expression "serious offence" means any offence punishable with transportation or with imprisonment for a term which may extend to three years or more.	
		Section 27 ..	For feiture under section 25 or section 26 may be adjudged by order of the Deputy Commissioner for a term which may extend to three years, and by order of the Commissioner for any longer term or in perpetuity.	
		Section 33 (1) ..	No building of the kind commonly known as a "hujra" or "chauk", and no building intended to be used as a "hujra" or "chauk, shall be erected or built, and no existing building not now used as a "hujra" or "chauk" shall at any time be used as such, without the previous sanction in writing of the Deputy Commissioner.	
		Section 33(2) ..	Whoever contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.	
		Section 34 (1) ..	Where the Deputy Commissioner is satisfied that any building is habitually used as a meeting place by robbers, house-breakers, thieves or bad characters or for the purpose of gambling, he may, by order in writing, prohibit the owner or occupier thereof from so using such building, and if the order is not obeyed, may by a like order direct that the building be demolished. Such further order shall be without prejudice to any punishment to which the owner or occupier of such building may, under any law for the time being inforce,be liable for disobedience of the prohibitory order.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of powers	REMARKS
1	2	3	4	5
130—*contd.*	The Frontier Crimes Regulation 1901—*contd.*	Section 34 (2) ..	No person shall be entitled to any compensation in respect of the demolition of any building under sub-section (1).	
		Section 35 (1) ..	Where, in the opinion of the Deputy Commissioner, the custom of providing for watch and ward by what are commonly known as "naubati chaukidars" exists in the case of any village community, and the village community, or any part thereof fails to provide for the due performance of such service, or any member of the village community fails to performe his duty of watch and ward according to the customary rotations in respect of such duties, the Deputy Commissioner may impose a fine, which may extend to one hundred rupees in any one case, upon the village community or part or member thereof so failing as aforesaid.	
		Section 35(2) ..	The provision of section 24 shall be applicable to the recovery of fines imposed on any village community or part thereof under this section.	
		Section 35 (3) ..	Where such custom as aforesaid has not existed or has fallen into disuse in any village Community, the Deputy Commissioner, may, with the previous sanction of the Commissioner, by order in writing, direct its introduction or revival, as the case may be ; and thereupon the provisions of sub-section (1) shall apply in respect of the village community.	
		Section 36 ..	Where in the opinion of the Deputy Commissioner, any person— (*a*) is a dangerous fanatic ; or (*b*) belongs to a frontier tribe and has no ostensible means of subsistence or cannot give a satisfactory account of himself; or (*c*) has a bloodfued ; or (*d*) has occasioned cause of quarrel likely to lead to bloodshed ; the Deputy Commissioner may, by order in writing, require him to reside beyond the limits of the territories to which this Regulation extends, or at such place within the said territories as may be specified in the order ;	

			Provided that, if the person has a fixed habitation in the place which the Deputy Commissionor requires him to leave, an order under this section shall not be made without the previous sanction of the Commissioner.	
		Section 40 (1) ..	Where the Commissioner or the Deputy Commissioner is of opinion that it is necessary for the purpose of preventing murder, or culpable homicide not amounting to murder, of the dissemination of sedition, to require a person to execute a bond for good behaviour or for keeping the peace, as the case may be, he may order the person to execute a bond, with or without sureties, for his good behaviour or for keeping the peace, as the case may be, during such period, not exceeding three years, as the Commissioner or the Deputy Commissioner as the case may be, may fix.	
		Section 40 (2) ..	The Deputy Commissioner may make an order under sub-section (1)— (*a*) on the recommendation of a Council of Elders, or (*b*) after inquiry as hereinafter provided.	
		Section 40 (3) ..	Where a person has been convicted in accordance with the finding of a Council of Elders of an offence mentioned in section 106 of the Code of Criminal Procedure, 1898, or punishable under section 302, section 304, section 307 or section 308 of the Pakistan Penal Code, the Deputy Commissioner at the time of passing sentence, or the Commissioner at the time of revising the sentence, may make an order under sub-section (1) with respect to that person.	
		Section 40 (4) ..	Where the Deputy Commissioner makes an order under sub-section (1) on the recommendation of a Council of Elders, he shall record his reasons for acting on the recommendation.	
		Section 40 (5) ..	Where the Commissioner or the Deputy Commissioner is of opinion that sufficient grounds exist for making an order under sub-section (1), he may, either in lieu of or in addition to such order, by order in writing, direct that the person concerned shall notify his residence and any change of residence in the manner prescribed by section 565 of the Code of Criminal Procedure 1898, during such term, not exceeding three years, as may be specified in the order.	—
		Section 41 ..	Where a blood-feud or other cause of quarral likely to lead to bloodshed exists, or, in the opinion of the Deputy Commissioner, is likely to arise between two familes or factions, the Deputy Commissioner may, on the recommendation of the Council of Elders, or, after inquiry as hereinafter provided, order all or any of the members of both families or factions or of either family or faction to execute a bond, with or without sureties, for their good behaviour or for keeping the peace, as the case may be, during such period, not exceeding three years, as he may fix.	
		Section 42 (2) ..	Sections 112, 113, 115 and 117 of the Code of Criminal Procedure, 1898, shall not apply to an inquiry under this section, but the Deputy Commissioner shall record his order with the reasons for making it.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
130—*concld.*	The Frontier Crimes Regulation 1901—*concld.*	Section 43(3) ..	If while a bond executed under section 41 is in force, the life of any member of either family or faction is unlawfully taken or attempted, the Deputy Commissioner may declare the bond of all or any of the members of the other family or faction and their sureties (if any) to be forfeited, unless it is shown to his satisfaction that the homicide or attempt was not committed by, or in consequence of the abetment of, any member of that family or faction.	—
		Section 46 (1) ..	Where a person has, under the provisions of this Chapter, given security or been imprisoned for failure to give security, he may be brought before the Deputy Commissioner, if, on the expiry of the period for which security was required to be given, the Deputy Commissioner, so direct.	
		Section 46 (2) ..	Where the Deputy Commissioner thinks it necessary, for the purpose of preventing bloodshed, to require security for a further period from any person so brought before him, he shall record a proceeding to that effect.	
		Section 46 (3) ..	The proceeding may be founded on the facts on which the original order to give security was founded and it shall not be necessary to prove any fresh facts to justify an order to give security for a further period under this section ; but such an order, if passed, shall have the same effect and be enforced in the same manner as an orginal order to give security under section 40 or section 41.	
		Section 46 (4) ..	Notwithstanding anything in this section, no person shall suffer, for failure to give security under this Chapter, continuous imprisonment for more than six years or, without the sanction of the Commissioner, for more than three years.	
		Section 50 ..	The Commissioner may, in the exercise of his revisional jurisdiction in any criminal proceeding, exercise the power to direct tender of pardon conferred by section 338, and any of the powers conferred on an appeallate Court by section 195, 423, 426, 427 and 428 of the Code of Criminal Procedure, 1898, and may also enhance any sentence,	

			Provided that nothing in this Chapter shall be deemed to authorise the Commissioner to set aside the finding on any question of fact of a Council of Elders, where such finding has been accepted by the Deputy Commissioner, unless he is of opinion that there has been a material irregularity or defect in the proceedings or that the proceedings have been conducted as to occasion a miscarriage of justice.	
		Section 51 ..	No sentence shall be passed by the Commissioner in the exercise of his revisional jurisdiction which the Deputy Commissioner could not have passed under this Regulation.	
		Section 54 (1) ..	The Commissioner shall not revise any decision, decree, sentence or order given, passed or made by himself in the capacity of Deputy Commissioner.	
		Section 54 (2) ..	Where any such decision, decree, sentence or order is brought to the notice of the Commissioner with a view to the exercise by him of his revisional jurisdiction in respect thereof under this regulation, the Commissioner shall report the case to the Provincial Government, and it shall be disposed of by the Provincial Government or by such officer as the Provincial Government may appoint in that behalf.	
		Section 55 ..	Every order made by the Commissioner in exercise of his revisional jurisdiction shall be enforced as if it were an order of the Deputy Commissioner or District Magistrate, as the case may be, and the Deputy Commissioner or District Magistrate shall do all acts and things necessary to give effect thereto.	
		Section 56 ..	Where, by a decree passed under section 8 or by a sentence passed under section 12, any person belonging to a frontier tribe becomes liable to pay a fine or other sum of money, the Deputy Commissioner may, on the recommendation of a Council of Elders and on satisfying himself that such a course is in accordance with local tribal custom, by order in writing, direct that the amount shall be recovered from the property, movable or immovable, of such of the relatives or fellow tribesmen of the person so liable as may be specified in the order.	
		Section 57(1) ..	The Deputy Commissioner may make such order as he thinks fit for the disposal of the proceeds of any fine imposed under section 12, section 18 or section 22, and subject to any order made by the Commissioner under Chapter VI, the proceeds shall be disposed of accordingly.	
		Section 57 (2) ..	Where, in pursuance of an order made under sub-section (1), a person has received compensation for an injury out of the proceeds of a fine, no Civil Court shall take cognizance of a claim to compensation based on the same injury.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
130—*concld.*	The Frontier Crimes Regulation, 1901—*concld.*	Section 58 ..	Registers shall be kept up, in forms to be approved by the Provincial Government, of all cases dealt with by the Deputy Commissioner and by the Commissioner under this Regulation.	
131	The Punjab Court of Wards Act, 1903.	Section 4 (2) ..	The Court of Wards may exercise all or any of the powers conferred on it by this Act either direct or through the Deputy Commissioner of the District within the limits of which any ward may at any time reside or any part of the property of any ward may be situate, or through any other person whom it may at any time in respect of any ward or the whole or any part of the property of any ward, appoint in that behalf.	
		Section 4 (3) ..	The Court of Wards may, with the sanction of the Board of Revenue, from time to time, by general or special order, or by rule made under this Act, delegate many of its powers to any Deputy Commissioner or other person as aforesaid, and may at any time, with the like sanction, revoke any such delegation.	
		Section 7 (2) ..	When the Deputy Commissioner is appointed or declared to be guardian of the person or property, or both, of a minor, under the provisions of section 18 of the Guardian and Wards Act, 1890, he shall intimate the fact to the Court of Wards, and the Court of Wards may thereupon, in its discretion, either assume, or refrain from assuming , the superintendence of the person or property or (boths as the case may be), of such minor, and the provisions of this Act shall, if such superintendence be so assumed, apply to the person or property, or both (as the case may be), of such minor.	
		Section 9 ..	Whenever the Court of Wards, assumes the superintendence of the person or property of any person under any of the provisions of this Act, the order of assumption shall be notified in the Official Gazette, and shall specify the district, the Deputy Commissioner of which shall be put incharge on behalf of the Court of Wards.	

		Section 11 (1) ..	For the purpose of satisfying himself as to whether in respect of any land-holder the Court of Wards should be moved to make an order under section 5 (2) or section (6), or for the purpose of making any report which may be called for in connection with any application of a land-holder under sub-section (1) of section 5, the Deputy Commissioner may make such inquiry into the circumstances of such land-holder as he may deem necessary, and, pending the taking of any such action, may issue such orders for the temporary custody and protection of the person or property, or both, of such land-holder, as he thinks fit.	
		Section 11 (2) ..	If the land-holder be a minor, the Deputy Commissioner may direct that the person, if any, then having the custody of the minor, shall produce him, or cause him to be produced, at such place and time as the Deputy Commissioner appoints, and may make such orders for the future custody of the minor, pending the orders of the Court of Wards, as he thinks proper.	
		Section 11 (4) ..	If the land-holder is alleged to be or is of unsound mind, the Deputy Commissioner shall make application to a competent Court in view to an inquiry being made by such Court for the purpose of ascertaining whether such person is or is not of unsound mind and incapable of managing his affairs.	
		Section 12 (1) ..	For the purposes of every inquiry to be made, or direction to be given, in pursuance of any of the provisions of this Act, the Deputy Commissioner may exercise all or any of the powers of a Civil Court under the Code of Civil Procedure.	
		Section 12 (2) ..	For the purpose of protecting the property, or any part thereof, of any land-holder, pending an inquiry under sub-section (1) of section II, the Deputy Commissioner may, subject to the direction and control of the Court of Wards, take possession thereof and appoint a manager and such care-takers in respect thereto as he may deem fit.	
		Section 20 (3) ..	Suits brought by or against any Court of Wards may be instituted and conducted or defended on behalf of the Court of Wards by the Deputy Commissioner of the district specified in the order of assumption in the notification under section 9, or by the manager or other person authorised, by general or special order or rule made under this Act, in that behalf, by the Court of Wards.	
		Section 21 ..	As soon as conveniently may be after the assumption, by the Court of Wards, of the Superintendence of the property of any person, the Deputy Commissioner of every district within which any part of such property may be situated, or some person authorised, in writing, by him in this behalf, shall take possession of all such property and all accounts and papers relating thereto, and shall do all other acts and things which may be necessary to secure and protect the same and place it under proper custody and control.	

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Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	
1	2	3	4	5
131—*contd.*	The Punjab Court of Wards Act, 1903—*contd.*	Section 26 (1) ..	On the publication of a notification under section 9, the Deputy Commissioner of the District specified in the order of assumption or any other Deputy Commissioner whom the Court of Wards may appoint in that behalf shall publish in the Official Gazette a notice in both the the English and the Urdu languages calling upon all persons having claims against the ward or against the property under the superintendence of the Court of Wards to notify the same in writing to such Deputy Commissioner within six months from the date of the publication of the notice.	
		Section 26 (3) ..	The Deputy Commissioner may, if he is satisfied that any claimant had reasonable excuse for not submitting his statement of claim within six months, receive his claim at any time after the expiry of the period aforesaid, but any claim so received shall, unless the Deputy Commissioner otherwise directs and not withstanding any law, contract, decree or award to the contrary cease to carry interest from the date of the expiry of the period aforesaid.	
		Section 27 (2) ..	Every Document (including entries in books of account) on which the claimant founds his claim, or on which he relies in support thereof, shall be produced before the Deputy Commissioner with the statement of claim.	
		Section 27 (3) ..	Every such documents shall be accompained by a true copy of the same. The Deputy Commissioner or such officer as he may appoint in that behalf, shall mark the original document for the purpose of identification, and after examining and comparing the copy with it shall retain the copy and return the original to the claimant.	
		Section 28 (1) ..	The Deputy Commissioner shall, after such inquiry as he may consider necessary, decide as to each claim made against any ward or property, in a manner in section 26 and section 27, provided whether such claim is, either in whole or in part, to be admitted or disallowed and shall intimate, in writing his decision in respect of each claim to the claimant thereof. If such liabilities cannot be paid at once, the decision shall fix the interest (if any) to be paid thereon from the date of such decision to the date of the payment and discharge of such claim.	

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		Section 29 ..	Every debt or liability (other than debt due to, or liabilities incurred in favour of, the Government to which any ward is subject, or with which any property under the superintendence of the Court of Wards or any part thereof is charged, and which is not duly notified to the said Deputy Commissioner within the time and in the manner hereinbefore prescribed, shall, subject to the provisions of section 7 and section 13 of the Limitation Act, 1877, be deemed for all purposes and on all occasions whether during the continuance of the superintendence of the Court of Wards or afterwards, to have been duly discharged. Provided that the provisions of this section shall not be deemed to extinguish any such debt or liability in any case in which the Court of Wards, after assuming the superintendence of such property, releases the same from such superintendence without ascertaining and dealing with the laibilities thereof as in this chapter, provided in that behalf, and that, in any such case, in computing the period of limitation applicable to any suit or application for the recovery of any such debt or the enforcement of any such liability, the time from the date of the notification of claim under section 26, to the date of the release of the property from the superintendence of the Court of Wards, shall be excluded.	
		Section 31 (1) ..	Nothing contained in this chapter shall be deemed to empower the Deputy Commissioner to disallow any claim, notified under section 26, which is based upon a decree passed by any competent Court, and any such decree may be proved by the production of a certified copy of the same accompanied by a certificate from the proper Court that such decree remains unsatisfied.	
		Section 32 (1) ..	Subject to the provisions of section 19 and section 31 nothing in this chapter shall be construed as preventing any claimant from bringing or prosecuting or executing any decree, in any competent Court, in respect of any claim which has been duly notified, within the time and in the manner hereinbefore prescribed, to the Deputy Commissioner, and which has, whether in whole or in part, been disallowed by him. Provided that no suit or proceeding in execution of any decree shall at any time be brought or be maintainable— (a) in respect of any claim which has been not so notified, or (b) to set aside or modify the order (if any) of Deputy Commissioner fixing a date for the payment of such claim or regulating the order in which claims against the ward or properties under the superintendence of the Court of Wards shall be paid.	
		Section 33(1) ..	No appeal shall lie from any decision given or order made by a Deputy Commissioner under this chapter, but nothing in this section shall be deemed in any way to limit or interfere with the power of the Court of Wards to revise any such decision or order.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
131—*contd.*	The Punjab Court of Wards Act, 1903—*concld.*	Section 35(2) ..	In appointing a guardian under this section, the Court of Wards shall be guided, as far as may be, by the provisions of section 17 of the Guardian and Wards Act, 1890, and if a ward leaves or is removed from the custody of a guardian appointed under this section, the Deputy Commissioner of the District specified in the notification issued under section 9 may exercise the powers conferred by section 25 of the said Act on a Court as defined in that Act.	
		Section 43 ..	If no such guardian or manager is appointed by the Court of Wards, the Deputy Commissioner of the District specified in the order of assumption in the notification under section 9 or any other Deputy Commissioner whom the Court of Wards may appoint in that behalf, shall be competent to do anything that might be lawfully done by a guardian of the person or a manager of the property appointed under this chapter.	
		Section 47 (3) ..	In appointing a guardian under this section the Court of Wards shall be guided by the provisions of section 17 of the Guardian and Wards Act, 1890, and in every such case the Deputy Commissioner of the District specified in the order of assumption in the notification under section 9 shall have the powers conferred upon a Deputy Commissioner under section 35(2).	
		Section (53) ..	Every investigation conducted by a Deputy Commissioner with reference to any claim preferred before him under Chapter VI or Chapter VII or to any matter connected with any such claim shall be taken to be a judicial proceeding with him the meaning of the Pakistan Penal Code.	
132	The Punjab Minor Canals Act, 1905.	Section 5(1) ..	Any person desiring to construct a canal intended to be fed from any source of supply which has been notified by the Provincial Government under section 4, may apply in writing to the Collector for the permission prescribed in that section.	
		Section 6 (1) ..	When a source of supply has been notified by the Provincial Government under secton 4 and the Collector considers that the construction of a canal to be fed therefrom will be advantageous, he shall give notice by general proclamation to all persons interested of his intention to construct such canal.	

		Section 6(2) ..	If no objection to the construction of such canal shall have been preferred within a period to be specified in the notice under sub-section (1) or if any such objection has been preferred within the said period, but has been finally overruled, the Collector may proceed to construct such canal.	
		Section 7 (1) ..	If any person without the permission necessary under sections 4 and 5 of this Act, or contrary to any of the conditions of such permission, commences to construct or proceeds with the construction of any canal, the Collector may, at any time, by order in writing, prohibit such person, and by general proclamation, all other persons, from continuing the construction thereof. Provided that, unless in the case of a construction which would materially extend the area irrigable by a canal, no such order or proclamation, as the case may be, shall be made or issued in respect of any canal which, at the time when it is proposed to make or issued such order or proclamation, has been used for irrigation for a period of three years without interruption other than such as was due to natural causes beyond the control of the person aforesaid.	
		Section 7(2) ..	If any person shall, at any time after the commencement of this Act, construct a canal without the permission necessary under sections 4 and 5 of this Act, the Collector may, with the previous sanction of the Provincial Government close it and shut off the supply of water thereto, and may further by order in writing, prohibit such persons, and, by general proclamation, all other persons from maintaining, reparing or reveiwing such canal or continuing to use the water thereof.	
		Section 10(1) ..	Notwitstanding the existence of any rights in or over a canal or water-course, the Collecor may— (*a*) Exercise all powers of control, management and direction for the efficient maintenance and working of such canal or for the due distribution of the water thereof; and (*b*) Whenever and so long as any water-course, sluice or outlet is not maintained in proper customary repair, or any water-course, sluice or outlet through which water is supplied to any person,or, in the case of sluice or outlet, to any water-course or any person, is subjected to wilful damage or wrongful enlargement, stop the supply of water to such water-course, sluice or outlet or to any person.	
		Section 10 (2) ..	No claim shall be inforceable against the Provincial Government for compensation in respect of loss caused by any order passed under sub section (1) but any person suffering loss by reason of any order passed under sub-section (1) (*a*) may claim such remission of the ordinary charges payable for the use of the water as is authorised by the Provincial Government:	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
132—*contd.*	The Punjab Minor Canals Act, 1905—*contd.*	Section 10 (2)—*concld.*	Provided that if any right to water entered in a record of rights prepared or revised under section 28 (1) or deemed under section 28 (3) to have been made under this Act or admitted in any agreement between the Provincial Government and any person is substantially diminshed in consequence of action taken under sub-section (1)(*a*) the Collector shall award compensation under section 55 to such person in respect of the diminution of his right.	
		Section 11(2) ..	In every such case the Provincial Government shall cause to be paid to the person whose right is suspended or extinguished, compensation to be assessed by the Collector under section 55. In assessing compensation for the purposes of this section, the Collector shall also have regard to the character of the right, the period during which it has been enjoyed and the damage likely to be occasioned by its suspension or extinction.	
		Section 12 ..	The Collector, or other person acting under the general or special orders of the Collector may enter upon any land adjacent to any canal, or through which any canal is proposed to be made, and undertake surveys or levels thereon; and dig and bore into the sub-soil, and make and set up suitable land marks, level-marks and water-guages; and do all others acts necessary for the proper prosecution of any inquiry relating to any existing or projected canal under the charge of the said Collector, and, where otherwise such inquiry cannot be completed, the Collector or such other person may cut down and clear away any part of any standing crop, fence or jungle,	

			and may also enter upon any land, building or water-course on account of which any water-rate is chargeable, for the purpose of inspecting regulating the use of the water supplied, or measuring the lands irrigated thereby or chargeable with a water rate and of doing all things necessary for the proper regulation and management of such canal ; Provided that, if such collector or person proposes to enter into any building or in closed court or garden attached to a dwelling house not supplied with water flowing from any canal, he shall previously give the occupier of such building, court or garden at least seven days' notice in writing of his intention to do so. In every case of entry under this section, the Collector shall, upon application made to him in this behalf, assess and pay compensation for any damage which may be occasioned by any proceeding under this section.	
		Section 13 ..	In case of any accident happening or being apprehended to a canal, the Collector or any person acting under his general or special orders in this behalf may enter upon any lands adjacent to such canal, and may execute all works which may be necessary for the purpose of repairing or preventing such accident. In every such case the Collector shall upon application made to him in this behalf, assess and pay compensation under section 55, for any damage which may be occasioned by any proceeding under this section.	
		Section 14 (1) ..	The Collector or any person acting under his general or special orders in this behalf may, within such distance from the canal as the Provincial Government may by rule determine, occupy land adjacent to any canal for the purpose of— (*a*) Depositing upon it soil excavated from the canal, or (*b*) Excavating from it earth for repairs to the canal. The Collector shall, upon application made to him in this behalf, assess and pay compensation for any damage which may be occasioned by any proceeding under this section.	
		Section 15 ..	Whenever application is made to a Collector for a supply of water from a canal, and it appears to him expedient that such supply should be given, and that it should be conveyed through some existing water-course, he shall give notice to the persons responsible for the maintenance of such water-course to show cause, on a day not less than fourteen days from the date of such notice, why the said supply should not be so conveyed and, after making inquiry on such day, the Collector shall determine whether and on what conditions the said supply shall be conveyed through such water-course.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent or power	REMARKS
1	2	3	4	5
132 *con.d.*	The Punjab Minor Canals Act, 1905—*concld.*	Section 15—*concld.*	The application shall not be entitled to use such water-course until he has paid the expense of any alteration of such water-course necessary in order to his being supplied through it and also such share of the first cost of such water-course as the Collector may determine. Such applicant shall also be liable for his share of the cost of the maintenances of such water course so long as he uses it.	
		Section 17 ..	If the Collector considers— (*i*) That the construction of such water-course is expedient, and, (*ii*) That the statements in the application are true, he shall call upon the applicant to make such deposit as the Collector considers necessary to defray the cost of preliminary proceedings, and the amount of any compensation which he considers likely to become due under section 20; and upon such deposit being made, he shall cause enquiry to be made into the most suitable alignment for the said water-course and shall mark out the land which, in his opinion, it will be necessary to occupy for the construction thereof and shall forthwith publish a notice in every village through which the water-course is proposed to be taken, that so much of such land as belongs course such village, has been so marked out.	
		Section 18 ..	Any person desiring that an existing water-course should be transferred from its present owner to himself, may apply in writing to the Collector stating— (*i*) that he has endeavoured unsuccessfully to procure such transfer from the owner of such water-course; (*ii*) that he desires the Collector, in his behalf, and at his cost, to do all things necessary for proceeding such transfer; (*iii*) that he is able to defray the cost of such transfer.	

			If the Collector considers— (a) that the said transfer is necessary for the better management of the irrigation from such water-course, and (b) That the statements in the application are true, he shall call upon the applicant to make such deposit as the Collector considers necessary to degay the cost of the preliminary proceedings, and the amount of any compensation that may become due under the provisions of section 20 in respect of such transfer: and, upon such deposit being made, he shall publish a notice of the application in every village affected.	
		Section 19 (1) ..	When within thirty days from the publication of a notice under section 17 or section 18, as the case may be, any person, interested in the land or water-course to whi h the notice refers, applies to the Collector as aforesaid, stating his objection to the construction or transfer for which application has been made, the Collector shall give notice to the other persons interested that, on a day to be named in such notice or any subsequent day to which the proceedings may be adjourned he will proceed to inquire into the matter in dispute or into the validity of such objections as the case may be.	
		Section 19 (2) ..	Upon the day so named or any such subsequent day as aforesaid, the (ollector shall proceed to hear and determine the dispute or the objection as the case may be.	
		Section 20 ..	No applicant under section 16 or section 18, as the case may be, shall be placed in occupation of such land or water-course until he has paid to the person named by the Collector such amount as the Collector determines to be due as compensation for the land or water-course so occupied or transferred, and for any damage caused by the marking out or occupation of such land, together with all expenses incidental to such occupation or transfer. Compensation to be made under this section shall be assessed as provided in section 55, but the Collector may, if the person to be compensated so desires, award such compensation in the form of a rent-charge payable in respect of the land or water-course occupied or transferred. If such compensation and expenses are not paid when demanded by the person entitled to receive the same, the amount may be recovered by the Collector, and shall, when recovered, be paid by him to the person entitled to receive the same.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
132—*contd.*	The Punjab Minor Canals Act 1905—*contd.*	Section 21 (1) ..	When any such applicant has duly complied with the conditions laid down in section 20, he shall be placed in occupation of the land or water course as aforesaid, and the following rules and conditions shall be thereafter binding on him and his representative in interest:— (a) In All cases— *First*—All works necessary for the passage across such water-course or water-course existing previous to its construction and of the drainage intercepted by it, and for affording proper communications across it for the covenience of the neighbouring lands, shall be constructed by the applicant, and be maintained by him or his representative in interest to the satisfaction of the Collector. *Second*—Land occupied for a water-course under the provisions of section 17 shall be used only for the purposes of such water-course. *Third*—The proposed water-course shall be completed to the satisfaction of the Collector within one year after the applicant is placed in occupation of the land. (b) In a cases in which land is occupied or a water-course is transferred, on the terms of a rent-charge. *Fourth*—The applicant or his reprsentative in interest shall so long as he occupied such land or water-course, pay rent for the same at such rate and on such days as are determined by the Collector when the applicant is placed in occupation. *Fifth*—If the right to occupy the land ceased owing to a breach of any of these rules, the liabilty to pay the said rents shall continue until the applicant or his representative in interest has restored the land to its original conditions or until he has paid, by way of compensation for any injury done to the said land, such amount and to such person as the Collector determines.	

			Sixth—The Collector may, on the application of the person entitled to receive such rent or compensation, determine the amount of rent due or assess the amount of such compensation; and if any such rent or compensation be not paid by the applicant or his representative in interest, the Collector may recover the amount, with interest thereon at the rate of six per cent per annum from the date on which it becomes due and shall pay the same, when recovered, to the person to whom it is due.	
		Section 21 (2) ..	If any of the rules and conditions prescribed by this section are not complied with, or if any water-course constructed or transferred under this Act is disused for three years continuously, the right of the applicant or of his representative in interest, to occupy such land or water-course, shall cease absolutely.	
		Section 22	The Collector may construct or repair or alter a sluice or outlet to regulate the supply of water from a canal to any water-course.	
		Section 23 (1) ..	In cases where there are water-courses running side by side or so situated as to interfere with the economical use or proper management of the water-supply, the Collector, if applied to for that purpose, or on his own motion may require the owners to make arrangements to his satisfaction to unit the water-courses or to substitute for them such system as may have been approved by him.	
		Section 23(2) ..	If the owners fail within such time as the Collector may fixe to comply with any order passed by him under subsection (1), the Collector may himself execute the work.	
		Section 23 (3) ..	Whenever a water-course has been reconstructed or a new system substituted under sub-section (1) or subsection (2), the Collector may fix the shares in which the water shall be enjoyed by the persons entitled to use the water course.	
		Section 25 ..	In every case under section 22 or section 23, the cost of executing or completing the work shall be payable by such person or persons deriving benlfit from the water-course as the Collector may in each case determine.	
		Section 27 ..	Upon the issue of a notification under section 26, the Collector may, from time to time, by general or special order— (*a*) determine the amount of labour to be provided or the amount of work to be performed by each irrigator;	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
132—*contd.*	The Punjab Minor Canals Act, 1905—*contd.*	Section 27—*concld.*	(*b*) regulate the attendance, distribution and control of the labourers provided or the manner of the performance of the work; (*c*) assess and recover the cost of such labour from any person who fails to comply with an order passed under this section; and. (*d*) refund all cost so recovered and expend them on the provision of hired labour for any of the canals to which the notification applies, or subject to the provisions, if any of a record-of rights tobe specified, in section 26 or section 28, on any other purpose connected with the well being thereof: Provided that the costs assessed as aforesaid shall not exceed eight annas for each day's labour of each of the labourers in respect of whom, default has occurred.	
		Section 28 (1) ..	The Collector shall, whenever the Provincial Government may, by special order or by the rules made under the authority of this Act, so direct, prepare or revise for any canal a record showing all or any of the following matters, namely:— (*a*) the custom or rule of irrigation; (*b*) the rights to water and the conditions on which such rights are enjoyed; (*c*) the rights as to the erection, repair, reconstruction and working of mills and the conditions on which such rights are enjoyed; and (*d*) such other matters as the Provincial Government may by rule prescribe in this behalf.	
		Section 28 (4) ..	Every person interested shall be bound to furnish to the Collector, or to any person acting under the direction of the Collector, all information necessary for the correct preparation of a record under this section.	

		Section 31 ..	If water supplied through a water-course be suffered to run to waste, and if, after inquiry by the Collector the person through whose act or neglect such water was suffered to run to waste cannot be discovered all the persons chargeable in respect of the water supplied through such water-course shall be jointly liable for the charge made in respect of the water so wasted.	
		Section 32	All charges for the unauthorised use or for waste of water may be recovered in addition to any penalities incurred on account of such use or waste. All questions under section 30 or section 31 shall be decided by the Collector.	
		Section 34 ..	Where there are numerous share-holders in the ownership of a canal, or where it is difficult to ascertain the persons who are shareholders or the extent of the interest of the shareholders, or any of them, the Collector may, if there is no proper manager or representative, require by a proclamation or notice in writing, the shareholders to nominate, within a given period, a fit person as manager of the canal and their representative and upon their failure to do so, may himself appoint any person to be the manager of such canal and the representative of the shareholders and the person so appointed may thereupon do all acts and things which the shareholders or any of them might lawfully do in regard to the management of such canal and all acts and things so done by him shall be binding upon every person who possesses any share in the ownership of such canal.	
		Section 38 ..	On receipt of notice under section 37 the Provincial Government shall by notification declare that the said canal will be acquired after a day to be named in the said notification not being earlier than three months from the date thereof, and after the issue of such notification, the Collector shall proceed as in sections 46 and 47 provided.	
		Section 39 ..	The Provincial Government may, after inquiry through the Collector in respect of any canal, issue orders as to all or any of the following things, namely:— (*a*) fixing the limits within which land may be irrigated from such canal; (*b*) fixing, as it may deem equitable the amount and character or the water rates leviable by the owner and the conditions on which such rates are to be paid, suspended, remitted or refunded; (c) regulating the supply and distribution of the water to and from such canal;	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
132—*contd.*	The Punjab Minor Canals Act, 1905—*contd.*	Section 39—*concld.*	Provided that if any land which has been continuously irrigated from the canal for three years previously is deprived of irrigation, or the income of the canal owner from such canal is materially reduced by reason of any orders passed under this action, the owners of such land or the canal owner shall be paid by Government or by such persons as Government may determine such compensation as the collector may consider reasonable: Provided further that, if the canal owner has, in the opinion of the Provincial Government exercised his powers as such in an arbitrary or inequitable manner he shall not be entitled to compensation under this section.	
		Section 42 ..	Whenever, in respect of any canal, any question arises which has under this Act or the rules made thereunder to be determined by the request, consent or decision of the owner and the ownership of such canal is vested in more persons than one who unable are to agree as to such request, consent or decision, it shall be lawful to the Collector to act on behalf of owner in any such matter and the request, consent or decision of the Collector, in any such case shall be binding upon every person who possesses any share in the ownership of such canal. In every such case the Collector shall give due consideration to the wishes of the share-holder or share-holders who possess the larger interest, and when the question is one whether the Government shall be required to take any action, the wishes of such share-holder or share-holders shall prevail and be accepted by the Collector.	
		Section 43 (1) ..	Save as provided in the preceding section, whenever a dispute arises between two or more persons in regard to their mutual rights and liabilities in respect of the ownership, construction, use or maintenance of a canal or water-course, and any such person applies in writing to the Collector stating the matter in dispute, the Collector shall give notice to the other person or persons interested that on a day to be named in such notice or any such day to which the proceedings may be adjourned, he will proceed to inquire into the matter in dispute.	

		Section (43) 2 ..	Upon the day so named or any such subsequent day as aforesaid, the Collector shall proceed to hear and determine the dispute in the following manner, that is to say— (a) If the dispute relates to the ownership of a canal or the mutual rights of owners in the use of the water of such canal or the construction of maintenance of a canal or the payment of any share of the costs of such construction or maintenance or the distribution of the supply of water from a canal, the Collector shall proceed as a revenue Court under the provisions of the Punjab Tenancy Act, 1887, and the provision of that Act regarding appeals, revisions and reviews shall be applicable. (b) If the dispute relates to a water-course, the Collector shall hear and determine the case as a Revenue Officer and shall, make such order thereon as to him seems fit, and such order shall, unless set aside on appeal to the Commissioner, be conclusive as to the use or distribution of water for any crop sown or growing at the date of such order. The order of the Commissioner on appeal shall in very such case be final.	
		Section 44 (1) ..	Any person who has obtained the permission of the Provincial Government to construct, or who owns canal, may apply in writing to the Collector to take up any land required for the purposes of such canal.	
		Section 44 (2) ..	If the Collector is of opinion that the application should be granted, he shall submit it with his recommendation, for the orders of the Provincial Government.	
		Section 46 ..	As soon as practicable after the issue of such notification the Collector shall cause public notice to be given at convenient places stating that the Provincial Government intends to acquire the said canal as aforesaid and that claims for compensation in respect of the acquisition thereof may be made before him.	
		Section 47 (1) ..	The Collector shall proceed to inquire into any such claim and to determine the amount of compensation which should be given to the claimant. In assessing such compensation the Collector shall proceed as provided in section 55, but for the purposes of this section he shall also have regard to the history of the canal, the expenditure incurred thereon and the profits already earned by the owner.	
		Section 47 (2) ..	No claim for compensation shall be enforceable after the expiration of one year from the date of the notice under section 46, unless the Collector is satisfied that the claimant had sufficient cause for not making the claim within such period.	
		Section 49 ..	The Provincial Government may, by notification published in the Official Gazette, take power to regulate the flow of water in any river, creek,	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
132—*contd.*	The Punjab Minor canals Act, 1905—*contd.*	Section 49—*contd.* ..	natural channel or line of natural drainage whether by the construction or removel of works or otherwise, and whenever it appears to such Government after enquiry through the Collector that the supply of water to a canal or the cultivation of any land or the public health or public convenience is likely to be injuriously affected by the obstruction of any river, creek, natural channel or line of natural drainage it may, by notification published as aforesaid, prohibit within the limits to be defined by such notification the formation of such obstruction, or may within such limits order the removal or other modification of such obstruction.	
		Section 50 (1) ..	The Collector may, after such publication, issue an order to the person causing or having control over any such obstruction to remove or modify the same within a time to be fixed in the order.	
		Section 50 (2) ..	The Collector may himself remove or modify the obstruction— (a) if the person to whom the order under sub-section (1) was issued fails to comply with that order within the time so fixed; and (b) in any case where the obstruction is not caused or controlled by any person.	
		Section 50 (3) ..	The Collector shall determine from whom the cost of removing or modifying the obstruction shall be recovered, and the amount of compensation due to any person injuriously affected by the removal or modification of the obstruction and the person by whom such compensation shall be payable : Provided that no compensation shall be awarded for an advantage obtained by an arbitrary or inequitable course of action.	
		Section 51 ..	When the Provincial Government has by notification as provided in section 49 taken power to regulate the flow of water in any river, creek or natural channel or line of natural drainage it may authorise the Collector to exercise such power on its behalf in accordance with such rules as it may prescribe. A Collector so authorised may in the execution of such rules exercise all the powers conferred upon him by section 50, and his authority shall include the power to take such action as the Provincial Government is empowered by section 49 to take after enquiry through the Collector. Such authority may on every occasion be exercised without the publication of any further notification in the 2 Official Gazettes.	

		Section 52(1) ..	The Collector may, at any time, order the owner of any canal under Schedule II to— (a) repair and maintain, in a proper state all or any embankments, protective works, reservoirs, channels, water-courses, sluices, outlets, and other works connected with the canal; (b) construct, repair and maintain, in a proper state, a suitable bridge, culvert, or similar work at any place across, under, or over the canal for the purpose of providing communication with a public road or thoroughfare which was in use before the canal was made; (c) construct, repair and maintain, in a proper state suitable works for the passage of the water of the canal across, under, or over any public road or thoroughfare or any canal or drainage or channel which was in use before the canal was made; (d) construct, repair and maintain in a proper state, a suitable regulator at or near the head of the canal where, for want of such regulator, an excessive supply of water may, enter the canal or cause damage to it, or any crops, lands, road, or property in the neighbourhood. "Canal" as used in this sub-section does not include "water course".	
		Section 52 (2) ..	The Collector may at any time order the owner of a water-course to perform in respect of such water-course all or any of the acts which he may under sub-section (1) order the owner of a canal to perform in respect of the canal, and may direct the owner of the canal to cease supplying water to the water-course till the owner of the water-course has complied with the order.	
		Section 52 (4) ..	If any order made under this section is not obeyed, to the satisfaction of the collector, within the time therein specified, the Collector may himself execute or complete the execution of or cause to be so executed or completed, all works or repairs specified in the order.	
		Section 53 ..	In the case of canals included under Schedule I, the Collector may— (a) call upon the irrigators to discharge any of the liabilities specified in section 52, sub-section (1) which the Provincial Government may have declared to attach to the irrigators from such canal or group of canals ; or (b) himself arrange for the performance of such acts and recover the cost as provided in section 57.	
		Section 54(1) ..	If any new work is immediately required to prevent serious detriment to the utility of a canal, the Collector may, notwithstanding anything in	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	REMARKS
1	2	3	4	5
132—*contd.*	The Punjab Minor Canals Act, 1905—*contd.*	Section 54(1)—*concld* ..	the Land Acquisition Act, 1894, take immediate possession of any land required for the construction of the work.	
		Section 54(2) ..	When the Collector has taken possession of any land under subsection (1), he shall, upon application made to him in this behalf assess and pay compensation under section 55.	
		Section 54(3) ..	In the event of sudden and serious damage or urgent risk to a canal or to property situate in the immediate neighbourhood thereof, or to irrigation carried on therefrom, or to the public traffic, the Collector may, after giving previous notice, execute or cause to be executed such works as he may think necessary in order to remedy or prevent such damage or risk, and may require any irrigator to furnish such labour as to the said Collector may seem reasonable and necessary for the immediate execution of such works.	
		Section 55(1) ..	In assessing the amount of compensation to be paid under any section of this Act, other than sections 12, 14, 21, 39 and 50, the Collector shall proceed under the provisions of the Land Acquisition Act, 1894, and the provisions of that Act except sections 18 to 28 both inclusive, subsection (3) of section 48 and section 54 shall, as far as may be, be applicable to all proceedings under this section.	
		Section 55 (2) ..	An appeal shall lie to the Commissioner from an award made by the Collector, and to the Board of Revenue from the order passed thereon by the Commissioner : Provided that no appeal should lie to the Board of Revenue, if the order of the Collector is confirmed on appeal by the Commissioner.	
		Section 56 ..	With the consent of the parties, the Collector may, when assessing the amount of compensation to be paid, direct in the case of an acquisition of land, that the property in such land shall remain with the owner subject	

			to a right of user so long as the land is required for the purpose of the canal or water-course, compensation being awarded for the right of user only, or in the case of an acquisition of a canal, or of land for the purpose of a canal, that the compensation shall take the form in whole or in part of a right to a supply of water from the canal which has been acquired or for the purposes of which land has been acquired.	
		Section 57 (1) ..	When any land is acquired under the provisions of section 44, or when any work is executed by or under the orders of the Collector under the provisions of section 50, section 52, section 53, or section 54, the cost of acquiring such land or of executing such work, as the case may be shall be recoverable— (*a*) if the canal is included under Schedule II from the owner thereof; or (*b*) if the canal is included under Schdule I, from the irrigators or such of them as are, in the opinion of the Collector, benefited or likely to be benefited by the acquisition or equitably liable for the whole or any part of the cost of executing the work or from the proceeds of any water rate levied under section 29; and (*c*) if such appropriation is not contrary to the provisions of the record of rights specified in section 28 of this Act, from the fund referred to in section 27 of this Act.	
		Section 57 (2) ..	When the cost of acquiring any land or of executing any work is, under the provisions of subsection (1), recoverable from the owner of any canal or from the irrigators therefrom, or any of them, it shall be lawful for the Collector to apportion such costs as to him may seem equitable, among all or any of the persons liable for the whole or any portion thereof and such apportionment shall be final.	
		Section 62 ..	For the purposes of every enquiry made and proceeding taken under this Act, the Collector or any other Revenue Officer authorized by him in this behalf shall have power to summon and enforce the attendance of and examine parties and witnesses and compel the production of documents, and for all or any of these purposes may exercise all or any of the powers conferred on a Civil Court by the Code of Civil Procedure, 1882, and every such inquiry shall for the purposes of the Pakistan Penal Code, be deemed to be a judicial proceeding.	
		Section 63 ..	In all cases under Sections 6, 8, 11, 21, 23, 25, 30, 31, 34, 36, 38, 39, 40, 42, 43, 47, 49, 50, 52, 53 and 57 of this Act, the owners and other parties interested in the canal shall be given an opportunity of appearing before the Collector and of showing cause to the contrary.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
132—*contd.*	The Punjab Minor Canals Act, 1905—*concld.*	Section 67(1) ..	In any suit or proceeding in which an entry made in any record prepared under section 28 or section 35 is directly or indirectly called in question, the Court shall, before the final settlement of issues, gives notice of the suit or proceeding to the Collector and, if moved to do so by the Collector, shall make the Provincial Government a party to the same.	
		Section 70 ..	In respect of any canals situate beyond the limits of the Punjab the Provincial Government may, by notification published in the Official Gazette, declare that the powers exercisable be a Collector under section 54 may under the circumstance there specified be exercised by the Collector or other authorised officer within the limits of the Punjab for all or any of the purposes of such canal.	
133	The Colonization of Government Land Act, 1912.	Section 10 (2) ..	The Provincial Government may issue a statement or statements of the conditions on which it is willing to grant land in a Colony to tenants.	
		Section 10 (3) ..	Where such statements of conditions have been issued the Collector may, subject to the control of the Board of Revenue, allot land to any person, to be held subject to such statement or conditions issued under subsection (2) of this section, as the Collector may by written order declare to be applicable to the case.	
		Section 10(4) ..	No person shall be deemed to be a tenant or to have any right or title in the land allotted to him until such a written order has been passed and he has taken possession of the land with the permission of the Collector. After possession has been so taken, the grant shall be held subject to the conditions declared applicable thereto.	
		Section 15 ..	A purchaser from the Government of land who has been placed in possession of the land by order of the Collector shall be deemed to be a tenant	

			of such land until the full amount of the purchase money with any interest due thereon has been paid and the other conditions set forth in the statement of the conditions of sale issued by the Collector have been fulfilled.	
		Section 17 ..	Subject to any orders that he may receive from the Commissioner, the Collector may allow any tenant to exchange the whole or any part of this tenancy for other land in the Colony, and the land so taken in exchange shall, in the absence of any special condition to the contrary recorded in writing by the Collector, be deemed to be held on the same conditions and subject to the same obligations as the surrendered land was held.	
		Section 19 ..	Except as provided in section 17, none of the rights or interests vested in a tenant by or under the Government Tenants (Punjab) Act, 1893, or this Act, shall, without the consent in writing of the Commissioner, or of such officer as he may by written order empower in this behalf, be transferred or charged by any sale, exchange gift, will, mortgage or other private contract, other than a sub-lease for not more than one year in the case of a tenant who has not acquired a right of occupancy and seven years in the case of a tenant who has acquired a right of occupancy. Any such transfer or charge made without such consent in writing shall be void, and if (after the commencement of this Act) the transferee has obtained possession, he shall be ejected under the orders of the Collector: Provided that the right of sub-letting conferred by this section shall not release any tenant from a condition requiring him to reside in the estate in which his tenancy is situated.	
		Section 20 ..	Subject to the proviso to section 14, when, after the commencement of this Act, any original tenant dies the succession to the tenancy shall devolve in the following order upon— (*a*) the male lineal descendants of the tenant in the male line of descent. (The term lineal descendants' shall include an adopted son whose adoption has been ratified by a registered deed) : (*b*) the widow of the tenant until she dies, or remarries, or loses her rights under the provisions of this Act ; (*c*) the unmarried daughters of the tenant until they die or marry, or lose their rights under the provisions of this Act ; (*d*) the successor or successors nominated by the tenant by registered deed from among the following persons, that is to say, his mother his pre-deceased son's widow, his pre-deceased grand son's widow his married daughter, his daughter's son, his sister, his sister's son, and the male agnate members of his family ;	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of power	Remarks
1	2	3	4	5
133—*contd.*	The Colonization of Government Land Act, 1912—*contd.*	Section 20—*concld.*	(*e*) the successor or successors nominated by the Collector from among the person enumerated in clause (*d*) of the section.	
		Section 21 ..	When after the commencement of this Act, any male tenant, who is not an original tenant, dies or any female tenant dies, marries or re-marries, the succession to the tenancy shall devolve— (*a*) in the case of a female, to whom the tenancy has been first allotted, on the successor nominated by the Collector from the issue of such female tenant, or from the male, agnates of the person, on account of whose services the tenancy was allotted to her ; (*b*) in all other cases, on the person or persons, who would succeed if the tenancy were agricultural land acquired by the original tenant.	
		Section 24 ..	When the Collector is satisfied that a tenant in possession of land has committed a breach of the conditions of his tenancy, he may, after giving the tenant an opportunity to appear and state his objections— (*a*) impose on the tenant a penalty not exceeding one hundred rupees, or (*b*) order the resumption of the tenancy ; Provided that if the breach is capable of rectification, the Collector shall not impose any penalty or order the resumption of the tenancy unless he has issued a written notice requiring the tenant to rectify the breach within a reasonable time, not being less than one month, to be stated in the notice and the tenant has failed to comply with such notice.	

		Section 25 ..	Where an order resuming the tenancy has been passed under the last proceeding section, the Collector may forthwith re-enter upon the land and resume possession of it, subject to the payment of compensation, to be fixed by the Collector, for uncut and ungathered crops and for the improvements, if any, that may have been made by the tenant : Provided that if the tenancy be allotted to any other person, the amount of the compensation, if any, paid to the outgoing tenant shall be recoverable by the Collector from the incoming tenant.	
		Section 26 ..	In any case where a tenant has been allotted a site for residential purposes in consideration of his tenancy, and such tenancy has been resumed under the provisions of sections 24 and 25 of this Act, the Collector may re-enter on and take possession of such site : Provided that the Collector shall fix and pay to the said tenant reasonable compensation for, or permit him to remove any buildings or improvements made by him on such site.	
		Section 32 ..	When the Collector is satisfied that any person has taken or is in possession of land in a colony to which he has no right or title, the Collector may, in addition to any other powers he may possess, forthwith re-enter upon the land and resume possession of it and take possession of all crops, trees and buildings thereon on behalf of the Government without payment of any compensation whatsoever.	
		Section 33 ..	If any person, without permission of a Revenue Officer of a grade to be specified by the Provincial Government— (*a*) clears or breaks up for cultivation, or cultivates any land which is owned by , or is in the possession of the Government and is not included in any tenancy or allotted residential enclosures or which has been set apart for the common purposes of a town or village community or section of the same or for a road, canal or water-course ; or (*b*) erects any building on any such land ; or (*c*) fells or otherwise destroys standing trees on such land ; or (*d*) otherwise encroaches on any such land ; or (*e*) makes an excavation or constructs a water channel on any such land he shall, on complaint made by order of or under authority from the Collector, be punished on conviction by any Magistrate with a fine not exceeding Rs. 200.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
133—*concld.*	The Colonization of Government Land Act, 1912—*concld.*	Section 33—*concld.*	*Explanation*—The felling of trees planted by an owner for tenant on any village road or water-course traversing his holding is not an offence under this section.	
		Section 34 ..	When the Collector is satisfied that an act punishable under section 33 has been committed, he may in lieu of proceeding against the offender under that section or after conviction of the offender under that section— (*i*) in the case of an offence under section 33(*a*), confiscate the crops growing on any land cultivated in contravention of this Act or, if the crops have been cut recover such sum as he may assess as the value thereof from the offender ; (*ii*) in the case of an offence under section 33(*c*) recover such sum as he may assess as the value of the trees destroyed ; (*iii*) in the case of an offence under section 33(*b*), (*d*) or (*e*), cause the building or other encroachment to be demolished or removed or the excavation or channels to be filled up, and levy the costs of so doing from the person responsible for such act.	
		Section 35(1) ..	If in any estate the majority of the tenants and owners of the estate shall apply for the levy of a cess for village purposes, the Collector may order the payment of such a cess from the proprietors, tenants and inhabitants of the village in such way and at such rates as he holds to be suitable.	
		Section 35(2) ..	Any cess leviable under this section shall be recoverable by suit under section 77(3)(*j*) of the Punjab Tenancy Act, 1887.	

		Section 36 ..	A Civil Court shall not have jurisdiction in any matter of which the Collector is empowered by this Act to dispose and shall not take cognizance of the manner in which the Provincial Government or Collector or any other Revenue Officer exercises any power vested in it or in him by or under this Act.	
	Schedule II (Referred to in Section 30).	Section 3 ..	The Government agrees to pay the grantees compensation for all damage occasioned by the exercise of the rights reserved to itself in clauses 1 and 2. Such compensation shall be assessed by the Collector, and if the grantee is not satisfied with the finding of the Collector, he may appeal to the Commissioner.	
		Section 4 ..	The grantee shall duly comply with such directions as the Collector shall from time to time issue requiring him to construct boundary marks on the limits of the said lands or any part thereof, and shall keep them when erected in good repair to the satisfaction of the Collector.	
134	The Punjab Pre-Emption Act, 1913.	Section 9 ..	Notwithstanding anything in this act, a right of pre-emption shall not exist in respect of any sale made by or to the Government or by or to any local authority or to any company under the provisions of Part VII of the Land Acquisition Act, 1894, or in respect of any sale sanctioned by the Deputy Commissioner under section 3(2) of the Punjab Alienation of Land Act, 1900.	
		Section 29(1) ..	The Court shall send to the Deputy Commissioner a copy of every original decree granting pre-emption other than a decree granting pre-emption in respect of a building or site of a building in a town or sub-division of a town, and the Deputy Commissioner may, within two months from the date of the receipt of such copy, apply to the Court to which the appeal in the pre-emption suit would lie, or if no appeal lies, to the Divisional Court for revision of the decree on the ground that the decision of the Court of first instance is contrary to the provisions of the Punjab Alienation of Land Act, 1900.	
		Section 29(3) ..	No appearance by or on behalf of the Deputy Commissioner shall be deemed necessary for the disposal of the application.	
135	The Redemption of Mortgages Punjab Act, 1913.	Section 4 ..	The mortgagor or other person entitled to institute a suit for redemption may, at any time after the principal money becomes payable and before a suit for redemption is barred, present a petition to the Collector applying for an order directing that his mortgage be redeemed, and where the mortgage is with possession that he be put in possession of the mortgaged property. The petition shall be duly verified in the manner prescribed by law for the verification of plaints, and shall state the sum which the petitioner declares to the best of his belief to be due under the mortgage. The petitioner shall at the same time deposit such sum with the Collector.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
135—*contd.*	The Redemption of Mortgages Punjab Act, 1913—*contd.*	Section 4—*concld.* ..	The petitioner shall state in his petition such particulars and file therewith such documents as may be prescribed.	
		Section 5 ..	When the petition has been duly presented and the deposit has been made, the Collector shall issue to the mortgagee a summons to appear on date to be therein specified. Every summons shall be accompanied by a copy of the petition, with the date of deposit endorsed thereon.	
		Section 6 ..	Where the mortgage appears and the petitioner does not appear when the petition is called on for hearing the Collector shall, unless he adjourns the proceedings, make an order that the petition be dismissed, unless the mortgagee admits the claim, in which case the Collector shall make an order— (*a*) that the mortgage be redeemed ; (*b*) that where the mortgage is with possession the mortgagor be put in possession of the mortgaged property as against the mortgagee ; (*c*) that the mortgagee deposit with the Collector the mortgage-deed, if any, then in his possession or power, and that it be delivered to the petitioner ; (*d*) that subject to the mortgage-deed, if any, being so deposited by the mortgagee the sum in deposit be paiato him ; Provided that no such order shall be made in consistent with any condition of the mortgage where by a season or period of the year is fixed for redemption or for surrendering possession.	

		Section 7 ..	When the petitioner appears, but the mortgagee does not appear, when the petition is called on for hearing, the Collector shall, unless he adjourns the proceedings, inquire in a summary manner (*a*) whether the petitioner is entitled to redeem the mortgaged property and (*b*) whether the sum deposited by the petitioner is the sum rightly due under the mortgage. If the Collector is not satisfied that the petitioner is entitled to redeem he shall dismiss the petition. If the Collector is satisfied that the petitioner is entitled to redeem and that the sum deposited is the sum rightly due under the mortgage, he shall make an order as laid down in section 6 (*a*), (*b*), (*c*) and (*d*) of this Act. If the Collector is satisfied that the petitioner is entitled to redeem, but is of opinion that a sum larger than that in deposit is due under the mortgage, he shall fix a period not exceeding 30 days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of deposit. If the petitioner makes such deposit within such period or such further period not exceedimg 30 days, as the Collector may fix, the Collector shall make an order in a manner aforesaid. If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.	
		Section 8 ..	Where both parties appear when the petition is called on for hearing, the Collector shall inquire from the mortgagee whether he admits that the petitioner is entitled to redeem, whether he is willing to accept the sum in deposit in full discharge of the mortgage debt, and where the mortgage is with possession whether he is willing to surrender possession of the mortgaged property. If the mortgagee replies in the affirmative, the Collector shall make an order as laid down in section 6 (*a*), (*b*), (*c*) and (*d*) of this Act. If the mortgagee admits the petitioner's title to redeem, but demands payment of a sum larger than that in deposit, the Collector shall inquire from the petitioner whether he is willing to pay such larger sum, and if he replies in the affirmative, the Collector shall fix a period not exceeding 30 days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of deposit. If the petitioner makes such deposit within such period or such further period not exceeding 30 days as the Collector may fix, the Collector shall make an order as laid down in section 6 (*a*), (*b*), (*c*) and (*d*) above. If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
135—*concld.*	The Redemption of Mortgages Punjab Act, 1913—*concld.*	Section 9 ..	If the mortgagee raises objection on any ground other than the amount of the deposit, or if the petitioner is not willing to pay the sum demanded by the mortgagee, the Collector may either (*a*) for reasons to be recorded, dismiss the petition, or (*b*) make a summary inquiry regarding the objection raised by the mortgagee or regarding the sum due.	
		Section 10 ..	If on inquiry regarding any objection so raised by the mortgagee the Collector is of opinion that it bars redemption or is a sufficient cause for not proceeding further with the petition, he shall dismiss the petition; but if he is not of that opinion he shall unless he dismisses the petition under section 11, make an order as laid down in section 6 (*a*) (*b*), (*c*) and (*d*) of this Act.	
		Section 11 ..	If on inquiry regarding the sum due, the Collector is of opinion that the sum deposited is the sum rightly due under the mortgage, he shall, unless he dimisses the petition under section 10, make an order as laid down in section 6 (*a*), (*b*), (*c*) and (*d*) of this Act, but if he is of opinion that a sum larger than the sum deposited should be deposited by the petitioner, he shall, unless he dismisses the petition under section 10, fix a period not exceeding 30 days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of the deposit. If the petitioner makes such deposit within such period or such further period not exceeding 30 days, as the Collector may fix, the Collector shall make an order as laid down in section 6 (*a*), (*b*), (*c*) and (*d*) of this Act. If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.	

		Section 12 ..	Any party aggrieved by an order made under section 6, 7, 8, 9, 10 or 11 or this Act may institute a suit to establish his rights in respect of the mortgage, but, subject to the result of such suit, if any, the order shall be conclusive.	
			Notwithstanding anything in this section a mortgagee against whom an *exparte* order under section 7 has been made or a petitioner whose petition has been dismissed in default under section 6 may apply to the Collector to have such order or dismissal set aside, and the Collector may in his discretion set aside, such order or dismissal on such terms as to costs or otherwise as he may deem fit ; provided that the order of dismissal shall not be set aside unless notice of the application has been served on the opposite party.	
		Section 14 ..	If the Collector dismisses a petition under this Act, he shall order that the sum deposited by the petitioner be returned to him.	
		Section 16 ..	When the petitioner has deposited with the Collector the sum declared by him to be due on the mortgage, and such sum is accepted by the mortgagee or is found by the Collector to be the sum actually due, interest on the mortgage shall ceases from the date of the deposit.	
			Where the Collector finds that a further sum is due and the petitioner deposits such further sum, interest shall cease from the date of such further deposit :	
			Provided that nothing in this section shall be deemd to deprive the mortgage of his right to interest when there exists a contract that he shall be entitled to reasonable notice before payment of tender of the mortgage money :	
			Provided also that where a suit is instituted under section 12, the court may pass such order as to interest as it deems fit.	
136	The Punjab Military Transport Act, 1916.	Section 4 (2) ..	All the powers conferred on a Transport Inspection Officer or Transport Assistant by this Act shall, unless the Central Government by special order otherwise directs be exercised by him subject to the control of the Deputy Commissioner.	
		Section 5 ..	In this Act, "Collector" shall include any person appointed by the Central Government or by the Deputy Commissioner to exercise the functions of a Collector under this Act.	
		Section 7 (1) ..	On any occasion of the mobilization of troops for active service or at any time during the employment of troops on active service or on any occasion which, in the opinion of the Central Government is one of grave emergency, the Central Government may by notification or written	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
136—*contd.*	The Punjab Military Transport Act, 1916—*contd.*	Section 7 (1)—*concld.*	order declare all or any animal or all or anything liable to impressment may be impressed for the purpose of military transport in the manner hereinafter appearing.	
		Section 7(2) ..	At any time after the issue of such a declaration the Local Government or any person authorized in this behalf by the Central Government may direct the Collector to take steps to provide within a reasonable time to be specified in the direction such animals or things as are stated to be required from his district for the purpose of military transport.	
		Section 8(1) ..	On receiving a direction under the preceding section the Collector shall, forthwith issue orders requiring the persons there in named to collect the animals or things therein specified at the time and place appointed by the Collector.	
		Section 8(2) ..	Such orders may be addressed to any Transport Assistant or to any Revenue Officer or to any Zaildar, Inamdar, or village officer.	
		Section 8(3) ..	Any person owning or keeping animals or things liable to impressment shall; when required by any Transport Assistant or Revenue Officer or any Zaildar, Inamdar or village officer in pursuance of an order issued under sub-section (1) be bound to produce the same at the time and place appointed by the Collector.	
		Section 10 ..	Notice shall be given by the Collector of the time and place at which claims for compensation for any animals or things impressed may be made.	
		Section 15(1) ..	When any sum is deposited with the committee under section 13 the committee shall, except in the cases specified in the next sub-section, pay the same to the person whom they consider *prima facie* entitled thereto.	

		Section 15(2) ..	If he shall not consent to receive such sum, or if there be no person present competent to sell the animal or thing, or if there be any dispute as to the title to receive compensation or as to the person to whom the same is payable or as to the apportionment of the same the committee shall deposit the said sum with the Collector, and the Collector shall pass orders as to the payment, investment of disposal of the same and such order shall be final as between the Government and any person claiming any interest therein.	
		Section 16 ..	The Collector may require any person claiming compensation in respect of any animal or thing impressed under this act to state the name of every other person whom he knows or believes to possess any interest in such animal or thing and also the nature of such interest.	
		Section 17(1) ..	Any animal or thing hired in accordance with the foregoing provisions, may be purchased at any time by the Central Government for a sum equivalent to the value fixed by the committee under section 12 plus 15 per cent.	
		Section 17(2) ..	Notice of such purchase shall be sent by registered post to the Collector and the purchase money shall be deposited with him.	
		Section 17(3) ..	The Collector shall give notice of the purchase to the owner or the keeper of the animal or thing.	
		Section 17(4) ..	The Collector shall deal with the purchase money as if it were a sum deposited with him under section 15(2) of this Act.	
		Section 17(5) ..	When notice has been sent to the Collector under sub-section (2) of this section the animal or thing shall become the absolute property of the Government.	
		Section 21 ..	Subject to any rule made in this behalf by the Local Government, the Collector or any Transport Inspection Officer or Transport Assistant or any officer to whom an order under section 8 is addressed shall be entitled at all reasonable times to enter for the performance of any duty imposed on him by this Act any place where he has reason to believe that any animal or thing suitable for military transport may be found, and to inspect any animal or thing found there.	
		Section 24 ..	For the purposes of enquiries under this Act, the Collector shall have power to summon and enforce the attendance of witnesses, including the parties interested or any of them to compel the production of documents by the same means and (so far as may be) in the same manner as is provided in the case of Civil Court under the Code of Civil Procedure.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
136—*contd.*	The Punjab Military Transport Act, 1916—*concld.*	Section 25(1) ..	The Collector shall provide one or more suitable depots at which goods carried by animals or things impressed under this Act may be deposited.	
		Section 25(2) ..	Any person depositing any goods at a depot shall on demand by the person incharge of the depot give to the best of his information the names and addresses of the consignor and consignee of the goods and of the owner of the animal of thing by or in which the goods were being carried, and a description of the goods.	
		Section 25(3) ..	The Collector shall cause a notice to be sent by registered post to the consignor and consignee of the goods, informing them of deposit of the goods and calling upon the consignee to take delivery thereof.	
		Section 25(4) ..	If delivery of the goods is not taken within three months from date of the deposit, the Collector may cause them to be sold by auction, provided that if the goods are perishable they may be sold forthwith.	
		Section 25(6) ..	The Collector shall pay the sum realised from the sale to the person who appears to him to be entitled thereto, and after such payment no suit to recover such sum or any part thereof shall be brought against the Government by any person claiming to be entitled thereto. Provided that nothing herein contained shall effect the liability of any person to whom any sum has been paid by the Collector under this sub-section to pay the same to the person lawfully entitled thereto.	
		Section 29 ..	No Court shall take cognizance of any offence punishable under this Act except with the previous sanction of the Deputy Commissioner.	

		Section 9(2) ..	If at any time any person against whom an order of restriction has been passed under this Act, satisfies the Court or Magistrate passing the order or the District Magistrate that he has no sufficient means of earning his livelihood within the area to which he is restricted the Court or Magistrate shall change the area.
		Section 10 ..	The District Magistrate may at any time for sufficient reasons to be recorded in writing cancel any order of restriction passed by any Court having jurisdiction in his district.
		Section 11 ..	The District Magistrate may at any time change the area to which the movements of any person have been restricted by an order of restriction passed under this Act: Provided that such person shall be given an opportunity of showing cause why such change should not be made.
		Section 12 ..	When an order requiring security for good behaviour has been made against any person under section 118 of the Code of Criminal Procedure, 1898, by any Court whether before or after this Act comes into force, the District Magistrate may at any time before the period of security has expired substitute therefor an order of restriction : Provided that— (*a*) the period of the order of restriction shall not exceed the unexpired period of security ; and (*b*) no order of restriction shall be passed against any person under this section until he has been given an opportunity of showing cause why such order should not be passed.
		Section 13 ..	Any person against whom an order of restriction has been passed by any Magistrate other than a District Magistrate may appeal to the District Magistrate to have the order set aside.
137	The Punjab Town Improvement Act, 1922.	Section 56(2) ..	The trust shall admit every such application if it— (*a*) reaches it before the time fixed by the Collector, under section 9 of the Land Acquisition Act, 1894, for making claims in reference to the land, and.
		Section 56(4) ..	On the admission by the trust of any such application, it shall forthwith inform the Collector, and the Collector shall thereupon stay for a period of three months all further proceedings for the acquisition of the land,

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
137—*concld.*	The Punjab Town Improvement Act, 1922—*concld.*	Section 56 (4)—*concld.*	and the trust shall proceed to fix the su mi consideration of which the acquisition of the land may be abandoned.	
		Section 56 (5) ..	Within the said period of three months or with the permission of the trust, at any time before the Collector has taken possession of the land under section 16 of the Land Acquisition Act, 1894, the person from whom the trust has agreed to accept the sum so fixed may, if the trust is satisfied that the security offered by him is sufficient, execute an agreement with the trust either— (*i*) to pay the said sum three years after the date of the agreement, or (*ii*) to leave the said sum outstanding as a charge on his interest in the land, subject to the payment of interest at a rate to be agreed upon by such person and the trust until the said sum has been paid in full and make the first annual payment of such interest four years after the date of agreement: Provided that the trust may, at any time before the Collector has taken possession of the land under section 16 of the Land Acquisition Act, 1894, accept immediate payment of the said sum instead of an agreement as aforesaid.	
138	The Schedule (referred to in Section 59) further modification in the Land Acquisition Act, 1894.	Section 3 ..	The fullstop at the end of clause 11 of the said Act, shall be deemed to be changed to a semicolon, and the following shall be deemed to be added namely :—	
		Section 3 (iv) ..	"and the costs which, in his opinion should be allowed to any person who is found to be entitled to compensation, and who is not entitled	

			to receive the additional sum of fifteen per centum mentioned in sub-section (2) of section 23, as having been actually and reasonably incurred by such person in preparing his claim and putting his case before the Collector."
			"The Collector may disallow, wholly or in part costs incurred by any person if he considers that the claim made by such person for compensation is extravagant."
		Section 6 ..	After section 17 of the said Act the following shall be deemed to be inserted, namely :—
			"17-A. In every case referred to in section 16 or section 17, the Collector shall, upon payment of the cost of acquisition, make over charge of the land to the trust; and the land shall thereupon vest in the trust subject to the liability of the trust to pay any further costs which may be incurred on account of its acquisition.
		Section 14 ..	After section 48 of the said Act, the following shall be deemed to be inserted, namely—
			"48-A (*i*). If within a period of one year, from the date of the publication of the declaration under section 6 in respect of any land, the Collector has not made an award under section 11 with respect to such land, the owner of the land shall, unless he has been to a material extent responsible for the delay, be entitled to receive compensation for the damage suffered by him in consequence of the delay".
			"(*ii*) The provisions of part III of this Act shall apply so far as may be to the determination of the compensation payable under this section".
139	The Punjab Local Option Act, 1923.	Section 6 ..	Notwithstanaing anything contained in the Punjab Excise Act, 1914, and the rules made thereunder with regard to the powers and functions of the Collector under the said Act a resolution passed under section 4 or passed and confirmed under section 5 shall be binding upon the Collector of the District in which the local area concerned is situated;
			Provided that if the Collector is of opinion for reasons to be recorded in writing that within such local area illicit distillation or smuggling of alcohol has been carried on or connived at within the two years preceding the date of the passing of such resolution, by any of the residents of such local area such resolution shall not be binding upon him, unless the Commissioner orders that it shall be so binding.

Serial No.	Act/Ordinance	Section	Nature and extent and powers	Remarks
1	2	3	4	5
139—concld.	The Punjab Local Option Act, 1923—*concld.*	Section 9 ..	Except as hereinafter provided the provisions of this Act, shall not apply to the sale of foreign liquor, but when an empowered local body has prescribed a maximum number of licensed shops under section 4 or section 5 or has prohibited the sale of liquor under section 5, and the Provincial Government, is satisfied that the object of such prescription or prohibition is being evaded by the sale of foreign liquor in the local area concerned, the Provincial Government shall by rule made under section 58 of the Punjab Excise Act, 1914, prohibit the Collector from granting a license for the sale of foreign liquor in the said local area except in accordance with the terms of such resolutions as such empowered local body may have passed or may pass in respect of country liquor, or with the special sanction of the Provincial Government.	
140	The Sikh Gurdawara Act, 1925	Section 26 ..	When it has been decided, under the provisions of this Act, that a right, title or interest in immovable property belongs to a Notified Sikh Gurdawara or when a right, title or interest in such property has been included in a list published under the provisions of sub-section (3) of section 5 or sub-section (3) of section 10 the Collector of the district in which the property is situated shall, on application being made to him on this behalf and after making a such enquiry as he may deem proper as to the act of such decision or inclusion, cause an entry to be made in the record of-rights, if any, of the estate in which the property is situated recording the Gurdawara as the owner of the right, title of interest in accordance with the provisions of the Punjab Land Revenue Act, 1887.	
		Section 38(1) ..	Notwithstanding anything contained in this Act or any other Act or enactment in force any two or more persons having interest in any gurdawara in respect of which no notification declaring the gurdwara to be a Sikh Gurdawara has been published under the provisions of this Act,	

			may after the expiry of one year from the commencement of this Act, or of such further period as the Provincial Government may have fixed under the provisions of sub-section (1) of section 7, and after having obtained the consent of the Deputy Commissioner of the district in which such gurdawara is situated, institute a suit, whether contentious or not, in the principal court of original jurisdiction or in any other court empowered in that behalf by the Provincial Government within the local limits of whose jurisdiction the gurdawara is situated, praying for any of the reliefs specified in section 92 of the Code of Civil Procedure, 1908, and may in such suit pray that the provisions of part III may be applied to such gurdawara.	
141	The Punjab Aerial Ropeways Act, 1926.	Section 14(1) ..	Subject to the provisions of and to the rules made under this Act, and in the case of immovable property not belonging to the promoter, to the provisions of any enactment for the time being in force for the acquisition of land for public purposes and for companies, a promoter may— (a) make such survey as he thinks necessary, (b) place and maintain posts in or upon any immovable property ; (c) suspend and maintain a rope over, along or across any immovable property ; (d) make such bridges, culverts, drains, embankments and roads as may be necessary; (e) erect and construct such machinery, offices, stations, ware-houses and other buildings, works, and conveniences as may be necessary; and (f) do all other acts necessary for constructing, maintaining, altering, repairing and using the aerial ropeway ; Provided that a promoter may take any action under clause (b) or clause (c) of this sub-section notwithstanding the objection of the owner of occupier of the property affected thereby, if the Collector after giving such owner and occupier by notice in writing an opportunity of being heard, by an order in writing permits such action.	
		Section 14(2) ..	When making an order under the proviso to sub-section (1) the Collector, shall fix the amount of compensation or of annual rent, or of both, which should, in his opinion, be paid by the promotor to the owner of the property affected thereby, or, in the case of immovable property, to the owner or occupier thereof, or any person interested therein and the amount to be paid to each.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
141—*concld.*	The Punjab Aerial Ropeways Act, 1926—*concld.*	Section 15(2) ..	In exercise of the powers conferred by sub-section (1) the promotor or his duly authorized servant or agent, as the case may be by shall cause as little damage as possible and compensation shall be paid by him for any damage so caused; and in the case of any dispute as to the amount of such compensation, the matter shall be referred to the decision of the Collector.	
		Section 16(1) ..	Where any tree standing or lying near an aerial ropeway, or where any structure or other object which has been placed or has fallen near an aerial ropeway subsequent to the issue of an order under section 7 in regard to such aerial ropeway, interrupts or interferes with, or is likely to interrupt or interfere with the construction, maintenance, alteration, or use of the aerial ropeway the Collector may, on the application of the promotor cause the tree, structure or object to be removed of or otherwise dealt with as he thinks fit. For the purpose of this sub-section the expression "tree" shall be deemed to include any shrub, hedge, jungle growth or other plant.	
		Section 16(2) ..	When disposing of an application under sub-section (1) the Collector shall award to the person interested such compensation as the Collector deems reasonable, and the Collector may recover such amount from the promotor as if it were an arrear of land revenue.	
		Section 17 ..	No suit shall lie, in respect of any matter referred to in the proviso to sub-section (1) of section 14 in sub-section (2) of section 14, section 15, or in sub-section (1) of section 16, but every order made by a Collector under any of those sections, and every award made by him under sub-section (2) of section 16, shall be subject to revision by the Provincial Government, except in the case of an award of compensation made by the Collector on account of action taken under clause (c) of sub-section (1) of section 14, which award shall be subject to revision by the District Judge.	

		Section 5(2) ..	When any Magistrate, not empowered to pass such order is of opinion that an offender convicted by him is a person in respect whom such order should be passed in accordance with the provisions of sub-section (1) he may, without passing any sentence, record such opinion and submit his proceedings and forward the accused to the District Magistrate to whom he is subordinate.	
		Section 5 (3) ..	The District Magistrate to whom the proceedings are so submitted may make such further enquiry (if any) as he may deem fit and pass such order for the detention of the offender or such other sentence or order, as he might have passed if the trail had been held by him from its commencement.	
		Section 6	When any male person less than twenty-one years of age has been sentenced for an offence by a Magistrate to rigorous imprisonment, or when ordered by a Magistrate to give security for good behaviour has failed to give such security, and has been committed to or confined in prison and no appeal has been preferred against such sentence or order within the time prescribed by law and when by reason of such person's criminal habits or tendencies or association with persons of bad character it is expendient, in the opinion of the District Magistrate, that he should be detained, the District Magistrate may order that such person shall in lieu of undergoing imprisonment be detained for a period not less than two years not more than three years.	
		Section 8 ..	Whenever it appears to the Superintendent of a Jail that any male person less than twenty-one years of age sentenced to transportation of rigorous imprisonment for an offence or committed to or confined in person for failing to give security for good behaviour should for the reason described in sub-section (1) of section 5 be detained, he shall cause such prisoner to be produced before the District Magistrate in whose jurisdiction the Jail is situated, and if the District Magistrate after making such enquiry as he may deem proper or as may be prescribed is satisfied that the prisoner should for the reasons described in the said sub-section be detained, he may order the prisoner to be removed from Jail and detained for a period equal to the unexpired term of the transportation or imprisonment of which he was sentenced, or of the period of which security was required from him, as the case may be.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
142	The Punjab Borstal Act, 1926	Section 13(1) ..	Before passing an order of detention under this Act, the Magistrate, District Magistrate or Court, as the case may be, shall enquire or cause enquiry to be made into the question of the age of the offender, and after taking such evidence (if any) as may be deemed necessary or proper shall record a finding thereon.	
		Section 13 (2) ..	A similar enquiry shall be made and finding recorded by every Magistrate not empowered to pass an order of detention under this Act before submitting his proceeding and forwarding the accused to the District Magistrate as required by sub-section (2) of section 5 of this Act.	
		Section 14 ..	When any Magistrate, District Magistrate or Court orders an offender to be detained, he or it, as the case may be, shall record the ground of his or its opinion that it is expedient that the offender be detained.	
143	The Punjab Debtors Protection Act, 1936.	Section 4 (1) ..	Notwithstanding anything contained in any other enactment for the time being in force, whenever a civil court orders that land be attached and alienated temporarily in the execusion of a decree for the payment of money, the proceedings of such attachment and alienation shall be transferred to the Collector.	
		Section 4 (2) ..	On the proceedings being transferred to him by the civil court, the Collector shall decide the period of alienation, which sholl not exceed twenty years in the case of land owned by a member of a statutory agricultural tribe, determined to be such by the Board of Revenue in exercise of the powers conferred by section 4 of the Punjab Alienation of Land Act, 1900.	

		Section 5 ..	Such portion of the judgment-debtor's land shall be exempted from temporary alienation as in the opinion of the Collector, having regard to the judgment-debtors-income from all sources except such income as is dependent on the will of another person, is sufficient to provide for the maintenace of the judgment -debtor and the members of his family who are dependent on him.
		Section 6 ..	The Collector when acting under sections 4 and 5 shall be deemed to be acting judicially and shall act in accordance with the provisions of law applicable to the Court from which the proceedings were transferred to him and any party aggrieved by an order of the Collector under section 4 or 5 shall have a right of appeal to the Commissioner who when hearing appeals under this section shall be deemed to be acting judicially and shall act in accordance with the provisions of law applicable to a Civil Court of Appeal.
144	The Punjab Restitution of Mortgaged Lands Act, 1938.	Section 4 ..	A mortgagor to whose land the provision s of this Act apply, may at any time present a petition to the Collector praying for restitution of possession of the land mortgaged. The petition shall be duly verified in the manner prescribed for such petitions.
		Section 5 ..	On receipt of such petition the Collector, after such enquiries as may be prescribed shall record an order in writing with reasons stating whether the mortgage in question is one to which this Act applies.
		Section 6 ..	If the Collector finds that the mortgage is one to which this Act does not apply, he shall dismiss the petition.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	
1	2	3	4	5
144—*concld.*	The Punjab Restititution of Mortgaged Lands Act, 1938—*concld.*	Section 7(1) ..	If the Collector finds that the mortgage is one to which this Act applies, he shall, not withstanding anything contained in any other enactment for the time being in force in case where he finds that the value of the benefits enjoyed by the mortgagee, while in possession, equal or exceed twice the amount of the principal sum originally advanced under the mortgage, order in writing— (*a*) that the mortgage be extinguished, and (*b*) Where the mortgagee is still in possession, that the mortgagor be put into possession of the mortgaged land as against the mortgagee and that the title deeds, if any, be restored to the mortgagor.	
		Section 7 (2) ..	If in cases to which this Act applies, the Collector finds that the value of the benefits enjoyed by the mortgagee while in possession is less than twice the amount of the principal sum orginally advanced and some payment is still due to the mortgagee according to the terms of the mortgage, the Collector shall, by order in writing and notwithstanding anything contained in any other enactment for the time being in force direct that the land be restored to the mortgagor and he be put into possession subject, however, to the payment of compensation by the mortgagor to the mortgagee at rates not exceeding the following scale :— (*i*) thirty times the land revenue assessed on the land at the time when it was mortgaged if the mortgagee has been in possession for a period exceeding thirty years but not exceeding forty years ; (*ii*) fifteen times the land revenue assessed on the land at the time when it was mortgaged if the mortgagee has been in possession for a period exceeding forty years but not exceeding fifty years ; (*iii*) five times the land revenue assessed on the land at the time when it was mortgaged if the mortgagee has been in possession for a period exceeding fifty years. *Explanation*—The Collector shall for the purposes of the section compute the period of possession from the date on which the mortgagee entered into possession, to the date of the presentation of the petition under section 4.	

		Section 8 ..	If the Collector finds that any sum is due to the mortgagee by way of compensation under sub-section (2) of section 7, he shall require the mortgagor to deposit the amount, in such manner as shall be prescribed; and on deposit of the amount, he shall declare the rights of the mortgagee extinguished and require the mortgagee to deliver possession of the land to the mortgagor, together with all documents of title relating to the land.
		Section 9 ..	The Collector may after declaring the rights of the mortgagee extinguished, eject the mortgagee and order delivery of possession of the mortgaged land to the mortgagor. In case of resistence the Collector may, exercise all the powers conferred on a civil court by rules 97 and 98 of Order XXI of the Code of Civil Procedure.
145	The Punjab Thal (Increase in Value) Act, 1940.	Section 5 (1) ..	After such enquiry, if any, as may be prescribed with regard to the classification Land or the proper distribution of the tax, the Collector shall prepare a statement of demand, containing full particulars of the amount which each person having rights in the land is liable to pay.
146	The Punjab Supersession of Indecent Advertisements Act, 1941.	Section 5 ..	If a District Magistrate, Sub-Divisional Magistrate or Magistrate of the 1st Class has reason to believe that any picture or printed or written matter of an indecent nature which has been affixed, inscribed or stencilled as mentioned in section 3, continues to be exhibited to public view after the commencement of this Act, he may by order in writing authorised any police officer to enter with such assistance as may be required any place and seize, remove, deface or destroy any such picture or printed or written matter.
147	The Thal Development Act, 1949.	Section 34 (2) ..	When any person enters into or upon any land in pursuance of subsection (1), he shall at the time of entering pay or tender payment for all necessary demage to be done as aforesaid, and in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the Collector whose decision shall be final.
		Section 34 (3 ..	It shall be lawful for any person authorised under subsection (1) to make an entry for the purpose of inspection or search to open or cause to be opened a door, gate or other barrier— (*a*) if he considers the opening thereof necessary for the purpose of such entry, inspection or search ; and

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
			(*b*) if the occupier or owner, as the case may be, is absent, or being present, refuses to open such door, gate or barrier:	
147—*concld.*	The Thal Development Act, 1949—*contd.*		Provided that the compensation shall be paid for the damage caused in such manner as the Authority may prescribe, and, in case of dispute as to its adequacy, the matter shall be referred to the Collector whose decision shall be final.	
		Section 36(2) ..	After a notification has been issued under subsection (1) in respect of any locality the Authority may apply to the Collector who after giving such reasonable notice to the owners and occupiers as may be prescribed, shall deliver possession of any land in such locality to the Authority and the land shall thereupon, notwithstanding anything contained in the Land Acquisition Act, 1894, vest absolutely in the Authority free from all encumbrances subject only to payment of compensation under the Land Acquisition Act, 1894, as modified by this Act.	
		Section 36 (4) ..	In respect of any land about which a notification under subsection (1) of this section has been issued, the Authority may, before taking possession of the land, give an undertaking to the Collector, by resolution, that possession shall be relinquished before the expiry of five years from the date on which possession is taken by it. If the possession of any land in respect of which an undertaking has been so given, is not relinquished by the Authority before the expiry of the said period of five years, its possession shall, on the expiry of that period, automatically stand relinquished by the Authority.	
		Section 36 (5) ..	On the relinquishment of possession of any land under subsection (4), the Collector shall restore the same to the person or persons from whom possession had been taken or their representatives in interest, who shall thereupon have the same rights and interests in the land as subsisted before its possession was delivered to the Authority.	

		Section 39(1) ..	An owner of land comprised in any scheme sanctioned by the Provincial Government, or any other person having an interest therein, may apply to the Authority that the acquisition of the land which is not required for the execution of the scheme be abandoned. The Authority may admit for consideration such application if it is made at any time before the Collector has made an award under section 11 of the Land Acquisition Act, 1894. If the application is admitted, the authority shall intimate this fact to the Collector who shall thereupon stay further proceedings connected with the acquisition of land in respect of which the application is admitted and the same shall not be reopened until so desired by the Authority.	
		Section 39 (3) ..	If any application under subsection (1) is rejected by the Authority or the fee imposed under subsection (2) is not paid by the person concerned within the period specified in that behalf by the Authority, the authority shall intimate the fact to the Collector who shall take up the proceedings for the acquisition of the land from the stage at which they had been stayed.	
		Section 72 ..	The Chairman or any person generally or specially authorised by him may apply to the Collector for the recovery of any sum due under this Act or by agreement made under this Act and the Collector shall thereupon proceed to recover the sum due as if it were an arrear of land revenue.	

SCHEDULE

(Referred to in section 35)

FURTHER MODIFICATIONS IN THE LAND ACQUISITION ACT, 1894 (*Hereinafter called "The said Act"*)

	..	Section 3 ..	The full-stop at the end of section 11 of the said Act shall be deemed to be changed to a semi-colon, and the following shall be deemed to be added, namely,— "(*iv*) the cost which, in his opinion, shall be allowed to any person who is found to be entitled to compensation, as having been actually and reasonably incurred by such person in preparing his claim and putting his case before the Collector. The Collector may disallow, wholly or in part, cost incurred by any person, if he considers that the claim made by such person for compensation is extravagant."	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
147—*contd.*	The Thal Development Act, 1949—*contd.*	Section 5 ..	For section 17 of the said Act, the following shall be deemed to be substituted:— "17. (1) In cases where the Authority considers it expedient to take possession of the land at any time before an award under section 11 of the Land Acquisition Act has been made it shall notify this fact in writing to the Collector intimating in additions the date by which the land is required by it. The Collector shall after causing a notice to this effect to be served on the person interested take possession of the land and transfer it to the Authority in whom it shall vest absolutely free from all encumbrances subject to its ability to pay any amount which may be incurred on account of acquisition."	
		Section 5 (2) ..	The Collector shall at the time of taking possession of land offer to the persons interested compensation for the standing crops and tree (if any) on such land and for any other damage sustained by them on account of dispossession and not excepted in section 24 or 24-A, and, in case such offer is not accepted, the value of such crop or trees and the amount of such other damage shall be allowed for in awarding compensation for the land under the provisions herein contained.	
		Section 6 ..	After section 17 of the said Act, the following shall be deemed to be inserted namely— "17-A. In every case referred to in section 16, the Collector shall, upon payment or tender of compensation for acquisition, make over charge of the land to the Authority and the land shall thereupon vest in the Authority subject to the liability of the Authority to pay any further compensation or costs which may be incurred on account of its acquisition".	

		Section 6-A ..	After section 17-A of the said Act as inserted by paragraph 6 of this Schedule, the following section shall be deemed to have been inserted, namely,— "17-B. Notwithstanding anything to the contrary contained in this Act, if the Authority has given an undertaking as contemplated by sub-section (4) of section 36 of the Thal Development Act, 1949, in respect of any land, the compensation payable in respect of such land shall be equivalent to the "Net income" from the land for the period that the land remains in the possession of the Authority".	
		Section 15 ..	After section 48 of the said Act, the follwing shall be deemed to be inserted, namely:— "48-A. If within a period of three years from the date of the publication of the notification under section 26 of the Thal Development Act, 1949, in respect of any land, the Collector has not made an award under section 11 with respect to such land, the owner of the land shall, unless he has been to a material extent responsible for the delay, be entitled to receive compensation for the damage suffered by him in consequence of the delay".	
148	The West Punjab Qaum Razakars Act, 1949.	Section 2 ..	The District Magistrate in any district may constitute for the district, a body to be called the Qaumi Razakars, the members of which shall discharge such functions in relation to the maintenace of law and order, the work of national reconstruction, and the organisation of the internal defence of the country as may be assigned to them in accordance with the provisions of this Act and the rules made thereunder.	
		Section 3 ..	The District Magistrate may appoint as members of the Qaumi Razakars so many persons who are fit and willing to serve as such, as he is authorised by the Provincial Government to appoint and may appoint any such members to any office of commmand in the Qaumi Razakars.	
		Section 4 ..	The District Magistrate may at any time call out by a general or a special order published in such manner as may be prescribed by the rules under section 11, a member or members of the Qaumi Razakars for training or to discharge any of the functions assigned to the Qaumi Razakars in accordance with the provisions of this Act and the rules made thereunder.	
		Section 8 ..	No prosecution shall be instituted against any member of the Qaumi Razakars for anything done or purporting to be done by him in discharge of his functions as such member, except with the previous sanction of the District Magistrate.	

Serial No.	Act, Ordinance	Section/Para.	Nature and extent of powers	REMARKS
1	2	3	4	5
148—	The West Punjab Qaumi Razakars Act, 1949—*concld*,	Section 9 ..	The District Magistrate or any other authority, authorised in this behalf under the rules, may, by an order in writing, dismiss summarily from the Qaumi Razakars any member thereof, if in the opinion of the District Magistrate or such other authority, he fails to dischrge satsifactorily his duties as such member, or is guilty of misconduct in the discharge of the duties as such member, or his continuance as a member of the Qaumi Razakars is otherwise undesirable.	
149	The Punjab Protection and Restoration of Tenancy Rights Act, 1950.	Section 3 (2D) ..	Where any person wishes to sell any land which has not been secured or retained by him for personal cultivation, he may make an application in writing to the Collector of the District where the land is situate, and the Collector may, after such inquiry as he may consider necessary, either grant the necessary sanction in writing or reject the application.	
		Section 3(3) ..	On receiving the application of a landlord under subsection (2), the Revenue Officer shall, if the application is in order and not open to objection on the fact of it, cause a notice to be served on the tenant to show cause why he should not be ejected from his tenancy or such portion thereof as is referred to in the applications: Provided that no notice under the subsection shall be served after the 15th day of November in any year.	
		Section 3(5) ..	The Revenue Officer, after hearing both the parties, if present, on a date fixed for the purpose, and making such futher enquiries as he may consider necessary, shall pass an order directing the tenant to be ejected or the notice to be cancelled, the case may be ; Provided that no order for the ejectment of a tenant shall be executed before the first day of May in any year, and in no case shall a tenant be ejected without paying such compensation to him, as he may be entitled to under the law, for the standing crops, if any, or for preparing the land for sowing, if it has been so pre red, as may be determined by the Revenue Officer.	

		Section 5(2) ..	On receiving an application under subsection (1) and on being satisfied after such enquiry as he may consider necessary that the facts mentioned therein are correct the Revenue Officer shall serve an order on the landlord and any other person in possession of the tenancy to restore possession thereof to the applicant immediately: Provided that the tenant to whom the tenancy has been restored shall be liable to pay such compensation to the person evicted for the standing crop, if any, and for preparing the land for sowing, if it has been so prepared, as may be determined by the Revenue Officer on the latter's application in this behalf: Provided further that if the compensation is not paid within one month of the date of the order made by the Revenue Officer in this behalf the tenant to whom the tenancy was restored shall be ejected therefrom and the land shall be restored to the person who was evicted under the orders of the Revenue Officer.	
		Section 6 ..	An order passed by a Revenue Officer of any grade under this Act shall for purposes of appeal, revision and review, be treated as an order of a Revenue Officer of the same grade under the Punjab Tenancy Act, 1887, and shall be subject to the provisions of the latter Act with respect to appeal, revision and review.	
		Section 8(4) ..	Subject to the rules under this section, a Revenue Officer may refer any case which he is empowered to dispose of under this Act to another Revenue Officer for investigation and report, and may decide the case upon the report.	
150	The Punjab Crown Lands (Resumption of Grants and Extinguishment of Rights) Act, 1950.	Section 4(1)	Wherean order resuming any grant or extinguishing rights in and covered by such grant has been made under the last section, the Collector may forthwith re-enter upon the said land and resume possession thereof.	
		Section 5(1) ..	Where a grantee is entitled to any compensation under subsection (2) or to any refund under subsection (3) of section 4, the Collector may take possession of the land pending payment thereof.	
		Section 6 ..	No court shall have jurisdiction in any matter which the Government or a Collector or any other officer appointed by the Government is empowered by this Act to dispose of, or shall take cognizance of the manner in, or the reasons for which the Government or a Collector or other officer appointed by the Government, exercise any power vested in it or in him by or under this Act.	

Serial No.	Act Ordinance	Section/Para.	Nature and extent of powers	REMARKS
1	2	3	4	5
151	The Punjab Agricultural Income Tax Act, 1951.	Section 3 (1) ..	Subject to the rules that may be framed in this behalf under section 10, the tax shall be assessed by the Collector of the District where the land to be taxed is situated. But in case a person is an owner of land in more than one district, the assessment shall be made by the Collector of the district within which such person ordinarily resides, or if he has no such residence in the Punjab, by the Collector of the district within which such person pays the largest amount of land revenue.	
		Section 5 (1) ..	Every person who is or becomes an owner of land, within the meaning of this Act, in more than one estate, and is or becomes liable therefor to the payment of land revenue to an amount exceeding two hundred and fifty rupees, shall submit full particulars of such land to the Collector who is to make the assessment , and where such estates are situated in more than one district, he shall furthermore intimate to the Collectors of all the other districts within which such estates are situated the fact of his having so submitted full particulars.	
		Section 5(3) ..	The Collector who is to make the assessment may, at any time by order in writing to observed by registered post, call for such statement from any person whose case, is in the Collector's opinion, covered by this section and the said person shall be bound to comply with the order within such time, being not less than 30 days, as may be fixed in the order.	
		Section 5 (4) ..	If the person to whom such order is issued fails to comply with it within the prescribed period without sufficient reason, the Collector may assess him to tax without such statement on the basis of such enquiry as he deems necessary and may also direct that the said person shall in addition pay, by way of penalty, a sum not exceeding the amount of the tax assessed.	
		Section 6 ..	If at any time, the Collector is satisfied that a person has wilfully made a false statement under section 5 of the Act by concealing or giving inaccurate particulars of the landed property owned by him, the Collector may direct that such person shall, in addition to the amount of the tax payable by him, pay by way of penalty a sum not exceeding ten times the amount of tax which would have been avoided, if his statement had been accepted as	

			correct or which has been avoided by reasons of the acceptance of his statement as correct : Provided that no order shall be made under this section unless the assessee has been heard or has been given a reasonable opportunity of being heard.	
		Section 9 ..	Notwithstanding anything contained in any contract no landlord shall recover from his tenant the whole or any part of the amount of tax payable under this Act by an increase in the amount of rent or otherwise: Provided that if any landlord is found to have recovered from a tenant the tax or any portion thereof in any form, the Collector may, after such enquiry as he deems necesary, pass an order imposing on such landlord a penalty up to ten times the amount of tax recovered by him from the tenant and may also order that the amount of tax so recovered by the landlord from the tenant shall be paid to the tenant out of the panalty realized.	
152	The Punjab Development of Damaged Areas Act, 1952.	Section 7 (1) ..	The Improvement Trust may apply to the Collector for the acquisition of any damaged area comprised in any scheme sanctioned under this Act and also for making an order for the immediate delivery of the possession of the whole or any part of such area to the Improvement Trust.	
		Section 7 (2) ..	Notwithstanding anything contained in any other law for the time being in force, the Collector may pass an order accepting an application made to him under the forgoing subsection and forthwith deliver, or cause the delivery of possession of any damaged area or part thereof comprised in any scheme sanctioned under this Act, and the same shall vest absolutely in the Improvement Trust free from all encumbrances subject, in due course, to the payment of compensation by the Trust in accordance with the provisions of this Act: Provided that possession shall not be taken of any building or part of a building unless the occupier thereof is given at least 48 hour's notice or such longer notice as may be reasonably sufficient to enable such occupier to remove his movable property from such building without unnecessary inconvenience.	
		Section 8 ..	If the Collector or any person acting under his authority is opposed or obstructed in the delivery of possession of any land under this Act, he shall enforce the surrender of the land to the Improvement Trust, if he is a Magistrate, and, if he is not himself a Magistrate, apply to a Magistrate for this purpose, and such Magistrate shall enforce the surrender of the land to the Improvement Trust.	
		Section 9 ..	After having delivered or caused the delivery of possession of the land, the Collector shall cause the land to be marked out and measured, and a plan thereof to be made, unless all this has already been done.	

Serial No.	Act/Ordinance	Section/Para.	Nature and extent of powers	REMARKS
1	2	3	4	5
152—*contd.*	The Punjab Development of Damaged Areas Act, 1952—*contd.*	Section 10 (1) ..	The Collector shall also cause public notice to be given at convenient places on or near the land comprised in the scheme stating that claims to compensation for all interests in such land may be made to him	
		Section 10 (2) ..	Such notice shall state the particulars of the land and shall require all persons interest in the land to appear personally or by agent before the Collector at a time and place mentioned therein (not being earlier than 15 days after the date of publication of the notice) and to state the nature of their respective interests in the land, and the objections, if any, to the measurements made under the foregoing section. The Collector in may in any case require such statement to be made in writing and signed by the party or his agent.	
		Section 10 (3) ..	The Collector shall also serve notice to the same effect on the occupier, if any, of such land and on all such persons known or belived to be interested therein, or to be entitled to act for persons so interested, as reside or have agents authorised to receive service on their behalf, within the revenue districts in which the land is situate.	
		Section 11 (1) —	The Collector may also require any such person to make or deliver to him, at a time and place mentioned in the requisition (such time being not earlier than 15 days after the date of the requisition) a statement containing, so far as may be practicable, the name of every other person possessing any interest in the land or any part thereof asco-proprietor, sub-proprietor, mortagagee, tenant or otherwise, the nature of such interest and the rents and profits, if any, received or receivable on account thereof for three years next preceding the date of the statement.	
		Section 12 —	On the date fixed under section 10, subsection (2) or on any other day to which the inquiry may be adjourned, the Collector shall proceed to enquire into the objections, if any, which any person interested has made pursuant to a notice given under the aforesaid section to the measurements made under section 9 and into the respective interests of the persons claiming compensation and shall determine ;	

			(a) the true area of the land and the extent of the interest of each person interested in that land ; and (b) the value of the plots and the material and other sources of income remianing outstanding as notified by the Government under section 13 of this Act, and make an award apportioning compensation in accordance with the provision of section 14 of this Act, among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information whether or not they have appeared before him : Provided that if no notification in the official Gazette under subsection (2) of section 13 has been issued the Collector shall merely decide the matter referred to in (a), and postpone the making of award with respect to compensation till after the issuing of the said contemplated notification by the Government : Provided further that if there be any dispute as to the title to such land or a part thereof or as to the person to whom compensation or any part thereof is payable, the Collector may refer such dispute to the decision of the Tribunal.
		Section 14 ..	Notwithstandi ng anything contained in any other law for the time being in force, the total compensation payable for any land acquired under this Act shall be the difference between the income from the scheme and the cost thereof as notified by the Government under section 13, subsection (2), the value of the plots that remain unsold and any other source of income from the scheme which remains outstanding, as determined by the Collector under section 12, being reckoned as income or a part thereof as the case may be.
		Section 15 (I) ..	The award made by the Collector under section 12 shall be filed in the Office of the Collector of the district and shall, except as hereinafter provided be announced by him on a day fixed for the purpose. It shall then be final and conclusive evidence as between the Improvement Trust and the persons interested, whether they have appeared before the Collector or not, of the true area and value of the land and the apportionment of the compensation among the persons interested.

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Serial No.	Act/Ordinance	Section/Para.	Nature and extent of powers	Remarks
1	2	3	4	5
152—*concld.*	The Punjab Development of Damaged Areas Act, 1952—*concld.*	Section 15) ..	The Collector shall give immediate notice of his award to such of the persons interested as are not present personally or by their representatives when the award is announced.	
		Section 16 ..	As soon as the Collector has made his award, the same shall be placed before the Trust, which shall, within 30 days of the date of the announcement, of the award, either notify its intention to make a reference to the Tirbunal, in the manner stated in section 20, against the amount awarded by the Collector or place the amount awarded at his disposal.	
		Section 17 ..	From the amount placed at his disposal under section 16, the Collector shall tender payments of the amounts assessed by him to the persons interested and make payments to any of them who agree to receive the same with or without protest.	
		Section 18 (1) ..	The amounts due to persons who may not be competent to alienate the land for which compensation has been awarded or the amounts due in respect of the land which is subject to a disputed title shall be deposited into local Treasury.	
		Section 18 (2) ..	In the case of persons incompetent to alienate the land acquired under this Act, the amount of compensation due may be invested by the Collector in the purchase of other lands to be held under the like title and conditions of ownership as the land in respect of which such money shall have been deposited was held, or if such purchase cannot be effected forthwith in Government Securities. The interest accruing on such money shall also be deposited and invested in the same way until the same be applied in the manner aforesaid.	

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		Section 18 (3)	Nothing in this section shall preclude the Collector from making payment of any amount as compensation for land due to any person, imcompetent to alienate the same, or from transferring the land or securities purchased therefore, under section (2), to such person, after the cessation of his disability, or, during such disability, to any other person competent to receive the same under any law for the time being in force or any order of a competent Civil Court.	
		Section 20 ..	(1) The Improvement Trust or any person interested who has received compensation with protest , may, by wrtitten application to the Collector, require, that the matter be referred by the Collector for the determination of the Tribunal, whether its or his objection be to the measurement of the land, the amount of the compensation, the person to whom it is payable or to the apportionment of the compensation among the person interested.	
		Section 21 (1) ..	In making the reference, the Collector shall state for the information of the Tribunal, in writing under his hand :— (a) the situation and extent of the land with particulars of any buildings and other structures standing thereon ; (b) the name of the persons who he has reason to believe to be interested in such land ; (c) the amount of compensation, if any, awarded for the structures or buildings standing on the land and the value assessed for the unsold plots and the sources of income from the scheme still outstanding ; and (d) if the objection be to the amount of compensation, the grounds on which the amount of compensation was determined.	
		Section 21 (2)	To the said statement shall be attached schedule giving the particulars of the notices served upon and of the statements in writing made or delivered by the parties interested respectively.	
		Section 24 (1) ..	The tribunal may on any reference made to it, make any order regarding the payment of any compensation to any person proved to be entitled to it and may either maintain or modify the award of the Collector :	

Serial No.	Act/Ordiance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
152—*concld.*	The Punjab Soil Reclimation Act, 1952—*concld.*		Provided that the Tribunal shall not question the amounts notified by the Government under section 13 of the this Act as the cost of a scheme and income therefrom.	
		Section 26 ..	The Improvement Trust shall not be required to pay interest on any amount awarded as compensation and tendered in accordance with the order of the Collector.	
		Section 27 (1) ..	The amount, if any, awarded by the Tribunal in excess of the compensation awarded by the Collector, shall be placed at the disposal of the Collector by the Improvement Trust, and the Collector shall disburse, deposit, invest or dispose of the same in the manner stated in section 17 and 18, as if it were the amount deposited on account of the award made by himself.	
		Section 27 (2)	The Collector shall also in like manner disburse, deposit, invest or dispose of the compensation due for the land, title to which is disputed before him, in accordance with the decision of the Tribunal.	
		Section 28 (1)	For the purposes of enquiries under this Act the Collector and the Tribunal shall have power to summon and enforce the attendance of witnesses, including the parties interested or any of them, and to compel the production of documents by the same means and (so far as may be) in the same manner as is provided in the case of Civil Courts under the Code of Civil Procedure, 1908.	

153	The Punjab Soil Recalamation Act, 1952.	Section 26 (2) ..	As soon as it is practicable after the issue of the notification under sub-section (1) of section 22, the Collector shall cause public notice to be given at convenient places in the area concerned stating that the use of underground waters in the said area is controlled, and that all persons using underground waters, for purposes other than domestic or for watering live-stock, through tube-wells, wells and other appliances worked by electricity, steam, oil or wind power, should have all such tune-wells, and wells and appliances existing on the date of the notification registered in the office of the Collector or the Divisional Canal Officer, as directed, within a period not exceeding three months from the date of the issue of such public notice. After publicity of e notice under subsection (2) of this section any owner or occupier of land who desires to put up any new tube-well or wells worked by electricity, steam, oil or wind power for using underground waters for any purpose other than domestic or for watering livestock, shall apply for a licence to the board. The Board shall frame rules with the sanction of Government to determine the form of the licence, its terms and the officers by whom it shall be granted. Such rules shall provide for a guarantee being obtained from the applicant before issue of the licence that if in the opinion of the Board his appliance, within six months of its erection seriously affects any existing use of underground waters, he will either abandon the licence or pay compensation as assessed by the Collector.	
		Section 26 (6)	The Collector who will receive the applications shall proceed to enquire into any such claim and to determine the amount of compensation, if any, which should be given to the claimant and section 8 to 11 (both inclusive), 25 to 39 (both inclusive), 50 to 56 (both inclusive) of the Land Acquisition Act, 1894, as modified by the act shall apply to such enqui·ies.	
		Section 26 (7)	No claim for compensation for such permanent closing down of appliances shall be made after the expiry of one year from the date of the order unless the Collector is satisfied that the claimant had sufficient cause for not making the claim within such period.	
		Section 34 (2) ..	After a notification has been issued under subsection (1) in respect of any locality the Board may apply to the Collector who after giving such reasonable notice to the owners and occupiers as may be prescribed, shall deliver possession of any land in such locality to the Board and the land shall thereupon, notwithstanding anything contained in the Land Acquisition Act I of 1894, vest absolutely in the Board free from all encumbrances subject only to payment of compensation under the Land Acquisitoon Act, 1894, as modified in the schedule referred to in section 33 of this Act.	

Serial No.	Act/Ordiance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
153—*concld.*	The Punjab Soil Reclamation Act, 1952—*concld.*	Section 37 (1) ..	An owner of land comprised in any scheme sanctioned by the Government, or any other person having an interest therein, may apply to the board that the acquisition of the land which is not required for the execution of the schemes be abandoned. The Board may admit for consideration such appl·ation if it is made at any time before the collector has made an award under section 11 of the Land Acquisition Act I of 1894. If the application is admitted the Board shall intimate this fact to the Collector who shall thereupon stay further proceedings connected with the acquisition of land in respect of which the application is admitt·d and the same s'all not be reopened until so desired by the Board.	
		Section 37 (3)	If any application under subsection (1) is rejected by the Board or though the aplication is allowed, the fee mentioned in subsection (2) is not paid or the conditions are not fulfilled by the person concerned within the prescribed period, the Board shall intimate the fact to the Collector, who shall take up the proceedings for the acquisition of the land from the stage at which they had been stayed.	
		Sect·on 70 ..	The Chairman or any person generally or specially authorised by him may apply to the Collector for the recovery of any sum due under this Act or under an a greement made under this Act and the Collector shall thereupon proceed to recover the sum due as if it were an arrear of land revenue.	
	Schedule, modifications in the Land Acquisition Act I of 1894	Section 5 ..	After section 16 of the said Act the following section shall be deemed to have been inserted, namely:— "16-A In every case referred to in section 16 the Collector shall upon payment or tender of compensation for acquisition, make over charge of the land to the Board and the land shall thereupon vest in the Board".	
		Section 6 ..	For section 17 of the said Act, the following shall be deemed to have been substituted:— "17 (1) In cases where the Board considers it expedient to take possession of any land at any time before an award under section 11 has	

			been made, it shall notify this fact in writing to the Collector intimating in addition the date by which the land is required by it. The Collector shall after causing a notice to this effect to be served on the person or persons interested in the land take possession of the land and transfer it to the Board in whom it shall vest absolutely free from all encumbrances subject to its liability to pay any amount which may be incurred on account of acquisition. (2) The Collector shall at the time of taking possession of land offer to the persons interested compensation for the standing crops and trees (if any) on such land and for any other damage sustained by them on account of dispossession and not excepted in section 24 or 24-A; and, in case such offer is not accepted, the value of such crops or trees and the amount of such other damage shall be allowed for while awarding compensation for the land under the provisions herein contained".	
154	The Punjab Children Act, 1952	Section 5 (1) ..	When any Magistrate not empowered to pass an order under this Act is of opinion that a child brought before him is a proper person to be sent to a certified school or to be dealt with in any other manner laid down in this Act, he shall record such opinion and submit his proceedings and forward the child to the District Magistrate or Sub-Divisional Magistrate to whom he is immediately subordinate.	
		Section 5 (2)	The Magistrate to whom the proceedings are so submitted may make such further inquiry, if any, as he may think fit, and may pass such order dealing with the case as he might have passed if the child had originally been brought before himself.	
		Section 6 (2) ..	A Probation Officer in the exercise of his duties under any order in respect of a child shall be subject to the control of the District Magistrate of the district in which the court which passes such order is situate.	
		Section 44 (3) ..	An order for the removal of any child from a voluntary home shall operate as an authority to any person named in the order, and to any police officer empowered in that behalf, to enter the institution and to remove the child or children therein to a place of safety, and where any child is so removed, it shall be the duty of the Deputy Commissioner of the District in which the institution is situate to maintain the child in place of safety unit he can be restored to his relatives or until other arrangements have been made with respect to him.	

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Serial No.	Act/Ordinance	Section/Paragraph	Nature and extent of powers	REMARKS
1	2	3	4	5
155	Sind Regulation XXII of 1827	Section 40 ..	When military bodies, exceeding in numbers two hundred (200) of infantry, or one hundred (100) of cavalry shall have occasion to march through a Pakistan territory, and also if the number be smaller provided they will require aid from the local authority, the Commanding Officer shall give timely notice to each District Magistrate through whose jurisdiction he will pass, specifying the probable time of his arrival, the extent of the corps, and the nature of the aid (if any) which will be required.	
		Section 41 ..	*First*—It is be required, the District Magistrate shall direct his establishment to be in readiness to procure guides, and such supplies of provisions as the country may furnish, and such conveyance for passing rivers or ghats, or any peculiarly difficult places, as is professionally provided by the inhabitants for such purposes. *Second*—Provisions and conveyance supplied as above mentioned to individuals shall be paid for by them at the time and at the current rate of the place, the guides and conveyance for public property shall be paid for at the same rate by the Collector of the district, according to a certificate which the Commanding Officer is to grant, denoting the services performed; and the Collector is to insert the amount so disbursed at the foot of his treasury account, in explanation of his treasury-balance as prescribed for similar cases.	
		Section 42 ..	*First*—When emergent occasions require the immediate march of troops, and more extensive aid towards it than is allowed by the preceding section is necessary, the District Magistrate may resort to impressment under the following rules, being careful to define the nature of the employment for which the impressment is made, and the period it is to continue. *Second*—The District Magistrate's authority or acting as in the preceding clause shall be either an order from the Central Government or a letter from the Commanding Officer declaring his inhability to proceed without	

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			the District Magistrate's aid, and fully explaining the circumstances which render the movement of paramount importance to the general inconvenience occasioned by impressment, on receipt of which the District Magistrate will act at discretion.	
			Third—Remuneration for services or supplies procured by impressment is to be fixed by the District Magistrate on a liberal scale, and paid according to the principles of clause second, section 41, of this Regulation, namely individuals are to pay for that which is personal accommodation, and the Collector is to defray the charges incurred for the public service under the above quoted rules.	
			Fourth—Whenever impressment shall take place by virtue of this section, the District Magistrate shall, within ten (10) days, report the fact, with the cause and extent of impressment, and the rates of remuneration allowed to the Central Government.	
		Section 43 ..	*Second*—The certificate mentioned in the preceding clause shall, if presented to the Collector or any of his officers holding charge of a district within ten (10) days from its date, entitle the sufferer to compensation for loss occasioned by such movements or positions of the troops as are *bona fide* of a military nature.	
			Third—On a demand being made by virtue of this section to the Collector, he shall inquire into its merits, and, if satisfied that it is just, shall, apply to the Central Government for permission to pay it; if the Collector thinks the demand is not just, or if the Central Government withhold permission to pay it, the complainant may bring the case to decision according to the process of civil law by instituting a suit against the Central Government.	
156	Sind Regulation XXV of 1827	Section 4 ..	*Second*—When any state prisoner is placed in the custody of any public officer not being a District Magistrate the Provincial Government shall instruct either the District Magistrate or any other public officer, not being the person in whose custody the prisoner may be placed, to visit such prisoner at stated periods, and to submit a report to Government regarding the health and treatment of such prisoner.	
		Section 7 ..	Whenever the Provincial Government for reasons of State shall judge it necessary to attach the estates or lands of any zamindar, jagirdar, taluqdar or other person without any previous decision of a court of Justice, or other judicial proceedings, the grounds on which the resolution of Government may have been adopted, and such other information connected with the case as may appear essential be communicated to the Judge and the District Magistrate or other civil authorities of the district in which the lands or estates may be situated.	

Serial No.	Act/Ordinance	Section/paragraph	Nature and extent of powers	REMARKS
1	2	3	4	5
156	Sind Regulation XXV of 1827	Section 8 ..	*First*—The lands or estates which may be temporarily attached shall be held under the management of the officers of Government in the Revenue Department and the Collections shall be made and adjusted on the same principles, if consistent with the rights, of others, as had been followed by the proprietor.	
			Provided, however, that any change may be introduced which the proprietor may desire and which may not infringe on private rights, nor appear objectionable to the Collector; and annual accounts of the management of the lands attached shall be furnished to the proprietor.	
157	The Sind Ferries Act, 1868 ..	Section 12 ..	(*b*) in all other cases the Collector of the district, may, subject to such general directions as the Provincial Government from time to time may issue, make rules to determine the number of passengers, carts, carriages and animals, and the quantity of goods, that may be, carried in any public ferry-boat at one trip, and for the safe, speedy and convenient carriage and landing of passengers and property, and for keeping the ferry-boats in good order and otherwise for the due discharge of their duty by toll contractors or farmers, toll-keepers, ferry men and other persons employed at a public ferry;	
			and any toll-contractor or farmer, toll-keeper, ferrymen or other person infringing or disobeying any such rule shall be liable to make good any loss or damage caused thereby which loss or damage may be summarily ascertained by any Magistrate within whose jurisdiction the offence was committed, and the amount thereof may be recovered as any penalty under this Act may be recovered.	
		Section 14 ..	(1) Any person who shall convey for hair any passenger, animal, cart, carriage or goods across any creek or river within the Province of Sind to any point on the opposite shore of bank without the license of the Collector of the district shall be liable to a penalty not exceeding five hundred rupees.	
			(2) "Abkari-officer" means a commissioner, Collector or any officer or other person lawfully appointed, or invested with powers under section 6.	

158	The Sind Revenue Jurisdiction Act, 1876.	Section 6 ..	Revenue officers shall not be liable to be sued for damages in any Civil Court for any act *bona fide* done or ordered to be done by them as such in pursuance of the provisions of any law for the time being in force.	
			If any Revenue Officer absconds or does not attend when called on by his official superior, and if the Collector of the district proceeds against him or his sureties for public money, papers or property according to the provisions of any law for the time being in force such Collector shall not be liable to pay damages or costs in any suit brought against him by such officer or sureties although it appears that a part only, or no part whatever, of the sum demanded was due from the officer so absconding or failing to attend, or that he was not in possession of the papers or property demanded of him.	
159	The Sind Abkari Act, 1878 ..	Section 3 ..	(4) "Collector" includes any person appointed under section 5 to exercise the powers and perform the duties of a Collector under this Act.	
		Section 3 ..	(5) "Magistrate" means a Magistrate of the first or second class or a Magistrate of the third class specially authorised in this behalf by the District Magistrate.	
		Section 5 ..	The Provincial Government may, by notification in the Official Gazette, appoint any person other than the Collector of Land revenue to exercise in any district or place all the powers and perform all the duties conferred and imposed by this Act on a Collector, subject to such control, if any, in addition to that of the Commissioner and of the Provincial Government as the Provincial Government may from time to time direct.	
		Section 8-A ..	All Abkari Officers shall exercise the powers and perform the duties conferred and imposed on them by or under this Act in accordance with such orders as in the case of the Commissioner, the Provincial Government and in the case of other Abkari Officer, the Prvovincial Government or the Commissioner may from time to time.	
		Section 13 ..	Passes for the import, export or transport or intoxicants or hemp may be issued by the Collector or by any other Abkari Officer duly empowered in this behalf.	
			Such passes may be either general for definite periods of time and definite kinds of intoxicants or special for specified occasions and particular consignments only.	
			Every such pass shall specify—	
			(*a*) the name of the person authorised to import, export or transport intoxicants or hemp.	

Serial No.	Act/Ordinance	Section/Paragraph	Nature and extent of powers	REMARKS
1	2	3	4	5
159—*contd.*	The Sind Abkari Act, 1878—*contd.*	Section 13—*concld.*	(*b*) the period for which the pass is to be in force,	
			(*c*) the quantity and description of intoxicants or hemp for which it is granted; and	
			(*d*) the places from and to which intoxicants or hemp are to be imported, exported or transported, and in the case of places more than ten miles apart, the route by which they are to be conveyed.	
		Section 14 ..	(1) Save as hereinafter otherwise provided,	
			(*a*) no intoxicant shall be manufactured;	
			(*b*) no hemp shall be cultivated or collected;	
			(*c*) no toddy producing tree shall be tapped;	
			(*d*) no toddy shall be drawn from any tree;	
			(*e*) no foreign liquor shall be bottled; and	
			(*f*) no person shall use, keep or have in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any intoxicant other than toddy,	
			except under the authority and subject to the conditions of licence granted in that behalf by the Collector.	
		Section 14-B ..	(1) No person not being a licensed manufacturer or vendor of any intoxicant or hemp and no licensed vendor except as authorised by his licence shall have in his possession any quantity of any intoxicant or hemp in excess of such limit as the Provincial Government under section 17 may declare to be the limit of retail, sale, except under a permit from the Collector.	

			Provided that nothing in sub-section (1) shall extend to any foreign liquor, other then denatured spirit, in the possession of any common carrier or ware house-man as such, or purchased by any person for his *bona fide* private consumption and not for sale:	
		Section 16 ..	(1) except as is hereinafter otherwise provided, no intoxicant or hemp shall be sold without a licence from the Collector.	
		Section 17 ..	(2) When any such limit of quantity has been prescribed for the retail sale of any intoxicant or hemp, no quantity in excess of such limit shall be sold by retail to any one person at one time or to any one person in the aggregate on any one day: Provided that the Collector or any Abkari Officer duly empowered in this behalf may, subject to any rules that may be made under section 35-A, give special orders for the occasional sale by retail of any intoxicant or hemp in quantities exceeding such limits.	
	..	**Section 19-A** ..	Subject to any rules to regulate the time, place and manner of payment made by the Commissioner in this behalf, the duty referred to in the fore-going section may be levied in one or more of the following ways :— (*a*) in the case of excisable articles imported in accordance with the provisions of sub-section (1) of section 9— (*i*) by payment either in the province of import or in the Province or territory of export; or (*ii*) by payment upon issue for sale from a warehouse established or licensed under section 15; (*b*) in the case of excisable articles exported in accordance with the provisions of section 10, by payment either in the province of export or in the province or territory of import; (*c*) in the case of exciseable articles transported in accordance with the provisions of section 10— (*i*) by payment in the district from which they are transported; (*ii*) by payment upon for sale from a warehouse established or licensed under section 15;	

Serial No.	Act/Regulations	Section/Paragraph	Nature and extent of powers	REMARKS
1	2	3	4	5
159—*contd.*	The Sind Abkari Act, 1878—*contd.*	Section 14 B—*concld.*	(*d*) in the case of spirit or beer manufactured in any distillery established or any distillery or brewery licensed under section 15— (*i*) by a rate charged upon the quantity produced in or issued from the distillery or brewery, as the case may be, or issued from a warehouse established or licensed under section 15; or (*ii*) by a rate charged in accordance with such sale of equivalents calculated on the quantity of materials used or by the degree of a tenuation the wash or wort, as the case may be, as the the Provincial Government may prescribe. (*e*) in the case of intoxicating drugs manufactured in accordance with the provisions of section 14, by payment upon the quantity produced or manufactured in accordance with the provisions of section 14 or issued from a warehouse established or licensed under section 15: Provided that where payment is made upon issue for sale from a ware-house established or licensed under section 15 such payment shall be at the rate of the duty in force at the date of issue from the warehouse: Provided further that where one and the same person is permitted— (*i*) to manufacture or import and to sell, or (*ii*) to manufacture and export country liquor or any intoxicating drug, such duty may be levied in consideration of the joint privileges granted as the Collector deems fit.	
		Section 25 ..	The privileges of drawing toddy from trees the right to which vests in the Provincial Government may be disposed of annually by auction or otherwise on such terms as the Collector, acting under the general orders of the Provincial Government deems fit.	

		Section 29 ..	When any amount is due to any farmer of the right of drawing toddy from any person who has been drawn toddy from any toddy producing tree, such farmer may apply to the Collector to recover such amount on his behalf and the Collector may, in his discretion, recover such amount as if it were an arrear or land revenue, and shall pay any amount so recovered to the applicant: Provided that the execution of any process issued by the Collector for the recovery of such amount shall be stayed if the person from whom it is sought to recover the same institutes a suit in the Civil Court to try the demand of the farmer, and furnishes security to the satisfaction of the Collector for the payment of the amount which the Court may adjudge to be due from him to such farmer: Provided also that nothing contained in this section or done thereunder shall affecect the right of any such farmer to recover by suit in the Civil Court or otherwise any amount due to him from any such person as aforesaid.	
	..	Section 31 ..	Every person taking out a licence for the manufacture of sale of any intoxicant or hemp under this Act shall execute a counterpart agreement in conformity with the tenor of his license, and shall give such security for the performance of his agreement as the Collector may require. And every person taking out a licence to cultivate hemp under this Act shall, if called upon by the Collector so to do, give such security for the observance of the conditions of such licence as the Collector may require.	
		Section 32-C ..	No holder of a licence granted under this Act to sell an intoxicant, shall surrender his licence except on the expiration of one month's notice in writing given by him to the Collector of his intention to surrender the same and on payment of the fee payable for the licence for the whole period for which it would have been current but for the surrender: Provided that if the Collector is satisfied that there is sufficient reeason for surrendering the licence he may, with the previous sanction of the Revenue Commissioner for Sind, remit to the holder thereof the sum so payable on surrender or any portion thereof.	
		Section 33 ..	Every person who manufactures or sells any intoxicant under a licence granted under this Act shall be bound— (*a*) to supply himself with such measures and weights and with such instruments for testing the strength or quantity of liquor as the Collector prescribes, and to keep the same in good condition, and (*b*) on the requisition of any Abkari Officer duly empowered in this behalf at any time to measure, weigh, or test any intoxicant in his possession in such manner as the said Abkari Officer may require.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	
159—*contd.*	The Sind Abkari Act, 1878—*contd.*	Section 36 ..	Any Commissioner or Collector or other Abkari Officer duly empowered in this behalf, may— (*a*) enter and inspect, at any time by day or by night any land on which toddy producing trees are growing whether such trees are licensed for tapping or not, and any warehouse shop or premises in which any licensed manufacturer or vendor carries on the manufacture or sale of any intoxicant or hemp or draws toddy, or stores any intoxicant or hemp and examine, test, measure or weigh any such person's stock of any intoxicant or hemp or materials; or (*b*) enter at any time by day or by hight, any building vessels, vehicles or enclosed place in which he has reason to believe that any intoxicant or hemp liable to confiscation under this Act is manufactured, kept or concealed or that toddy is drawn, or that any still, utensil, implement or apparatus is used, kept or concealed for the purpose of manufacturing any intoxicant contrary to the provisions of this Act; and (*c*) in case of resistance, break open any door and remove any other obstacle, to his entry into any such shop, premises, building, vessel, vehicle or other place; and (*d*) seize any intoxicant or hemp and any material used in the manufacture thereof, and any still, utensil, implement or apparatus, and any other thing which he has reason to believe to be liable to confi cation under this Act, or under any other law for the time being in force relating to Abkari-revenue; and	

			(*e*) detain and search and, if he thinks proper, arrest any person whom he has reason to believe to be guilty of any offence under this or any other law for the time being in force relating to Abkari revenue.	
		Section 37 ..	Any Commissoner or Collector or other Abkari-Officer duly empowered in this behalf, may — (*a*) seize in any open place of or in transit, any intoxicant hemp or any other thing which he has reason to believe to be liable to confiscation under this or any other law for the time being in force relating to Abkari-revenue; (*b*) detain and seach any person whom he has reason to believe to be guilty of any offence against this or any other such law and if such person has any intoxicant hemp of other thing in his possession, arrest him.	
		Section 38-A ..	Any Commissioner or Collector or Abkari Officer duly empowered in this behalf may arrest without an order from a Magistrate and without warrant any person who obstructs him in the execution of his duty under this Act or who has escaped or attempts to escape from custody in which he has been or is lawfully detained under this Act.	
		Section 40 ..	Any Commissioner or Collector or other Abkari Officer duly empowered in this behalf, or a Magistrate, may issue a warrant— (*a*) for the arrest of any person whom he has reason to believe to have committed an offence against this or any other law relating to Abkari-revenue for the time being in force, or (*b*) for the search, whether by day or by night, of any building, vessel or place in which he has reason to believe that any intoxicant or hemp is manufactured or sold, or that any toddy is drawn contrary to the provisions of this Act or that any intoxicant or hemp or other thing liable to confiscation under this or any other law for the time being in force relating to Abkari-revenue is kept or concealed. All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure, by a Police Officer or by an Abkari Cfficer duly empowered in this behalf, or, if the officer issuing the warrant deems fit, by any other person.	
		Section 41-C ..	(*b*) if it appears that such thing is liable to confiscation but is not required as evidence as aforesaid, shall send it with a full report of the particulars of the seizure to the Collector.	

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Serial Nol	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
159—*contd.*	The Sind Abkari Act, 1878—*contd,*	Section 42 ..	It shall be lawful for the Collector by notice in writing to the licensee to require that any shop in which any intoxicant is sold by retail shall be closed at such time as he may deem it necessary for the sake of public peace and order that such shop should remain closed. If a riot or unlawful assembly is imminent or occurring in the vicinity of any such shop, it shall be lawful for any Magistrate or Police Officer who is present to require such shop to be kept closed for such period as he deems fit. (2) When an offence under this Act has been committed and the offender is not known or cannot be found, or when anything liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for, the case shall be inquired into and determi:ed by the Collector, who may order confiscation; Provided that no such order shall be made before the expiration of one month from the date of seizing the thing intended to be confiscated, cr without hearing the person, if any, claiming any right thereto, and the evidence , if any, which he produces in support of his claim; Provided further that if the thing in question is liable to speedy and natural decay, or if the Collector is of opinion that the sale would be for the benefit of the owner, the Collector may at any time direct it to be sold, and the provisions of this sub-section shall apply so far as may be to the n:t proceeds of the sale; Provided frurther that in the case of any thing liable to speedy and natural decay the Collector may, if the circumstances so require, direct it to be destroyed. (3) The Collector may delegate his powers under this section to any Assistant or Deputy Collector, either by name or in virtue of his office.	

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		Section 55-A ..	Any Commissioner or Collector, or any Abkarf Officer aspecially empowered by the Provincial Govemrnnt in the behalf, may accept from any per-person whose licence, permit or pass is liable to be cancelled or suspended under clause (a) or clause (b) of section 32, or who is reasonably suspected of having committed an offence under sections 43, 44, 45, 45-A or 46, a sum of money in lieu of such cancellation or suspension or by way of composition for the offence which may have been committed, as the case may be; and in all cases whatsoever in which any property other than an intoxicant or hemp has been seized as liable to confiscation under this Act may release the same on payment of the value thereof as estimated by such officer; Provided that where a person who is reasonably suspected of having committed an offence under section 43 or 45 -A is not the holder of a licence, permit or psss granted under this Act, or a person in the employ of such holder or a person acting with his express or implied permission on his behalf, the sum of money which may be accepted from such per-son by way of composition shall not exceed two hundred rupees. On the payment of by such person of such sum of money, or such value, or both, as the case may be, to such officer, such person, if in custody, shall be set at liberty and the property seized shall be released and if magieterial proceedings shall have been instituted against such person the composition shall be held to amount to an acquittal and in no case shall any further proceedings be taken against such person or property with reference to the same facts.	
		Section 60 ..	All orders passed by any Abkari Officer other than the Collector or Com-missioner under this Act shall be appealable to the Collector at any time within sixty days from the date of the order complained of. All orders passed by a Collector or Commissioner shall be appeal-able to the Commissioner or to the Povincial Government, respectively, at any time within ninety days from the date of the order complained of; Provided that no appeal shall] an passed by a Com-missioner on appeal. Subject to the foregoing provisions, the rules for the time being in force relating to appeals in the Revenue Department shall apply to appeal under this Act.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
159—*concld.*	The Sind Abkari Act, 1878—*concld.*	Section 62 ..	Nothing in the foregoing provisions of this Act, applied to the manu-facture, sale or supply of any *bona fide* medicated article for medicinal purposes by medical practitioners, chemists, druggists, apothecaries or keepers of dispensaries; but it shall be lawful for the Provincial Government at any time, by notification in the Official Gazette to prohibit the sale of any such article or class of such article within any defined local area or place or generally except under a licence from the Collector, which shall be granted on payment of such fees and subject to such conditions as the Provincial Government may deem fit to prescribe.	
		Section 64-A ..	Notwithstanding anything contained in this Act or the rules made there-under, it shall be lawful and shall be deemed always to have been lawful for the Provincial Government by general or special order, to (*h*) direct that before granting licences, auctions may be held tenders called for or offers received and that licences shall be granted to persons whose bids, tenders or offers are accepted by the Collector;	
160	The Sind Agriculturists Relief Act, 1879.	Sectoion 22 ..	Immovabele property belonging to an agricultrurist shall not be attached or sold in execution of any decree or order passed whether before or after this Act comes into force, unless it has been specifically mortgaged for the repayment of the debt to which such decree or order relates, and the security still subsist. For the purposes of any such attachment or sale as aforesaid, standing crops shall be deemed to be moveble property. But the Court, on application or of its own motion, may when passing a decree against an agriculturist or in the course of any proceedings under a decree against an agriculturist passed whether before or after this Act comes into force, direct the Collector to take possession, for any period not exceeding seven years, or any such property of the judge-ment debtor to the possession of which he is entitled, and which in the opinion of the Collector is not required for his support and the support of the members of his family dependent on him, and the Collector shall thereupon take possession of such property and deal with the same for the benefit of the decree-holder in manner provided by section 29. The provisions of section 31 shall, *mutatis mutandis*, apply to any property so dealt with.	

		Section 22A ..	(1) When any immovable property belonging to an agriculturist has been sold by public auction under the provisions of section 325 of the Code of Civil Procedure, the sale may within thirty days from the date of the auction be set aside by the Collector, if he considers the price bid by the purchaser to be inadequate. (2) When the sale is so set aside the purchaser shall be entitled to receive back his deposit or his purchase-money, as the case may be, and the Collector may re-sell the property by public auction or private contract, as he thinks fit. Every such re-sale shall be deemed to be a sale under the provisions of section 325 of the Code of Civil Procedure.	
		Section 29 ..	No immoveable property of the insolvent shall vest in the receiver; but the Court on application or of its own motion, may direct the Collector to take into his possession, for any period not exceeding seven years from the date on which the receiver has been appointed, any immoveable property to the possession of which the insolvent is entitled, and which in the opinion of the Collector, is not required for the support of the insolvent and the members of his family dependent on him, and, subject to any rules the Provincial Government may from time to time make in this behalf to manage the same for the benefit of the creditors by letting it on lease of otherwise; Provided that, if the insolvent or his representative in interest at any time pays into Court the balance of the scheduled debts then unpaid, he shall, subject to any rights created in favour of other persons by the Collector, be entitled to recover possession of such property. A collector managing property under this section shall during the management have all the powers which the owner might as such have legally exercised, and shall receive and recover all rents and profits of such property and shall have, in addition to any powers possessed and for the purpose of recovering such rents and profits by an owner, all powers possessed by a Collector for securing and recovering the land revenue due to Government except the powers mentioned in the Sind Land Revenue Code, 1879, section 150, clauses (b). (d) and (e). Nothing in this section shall authorise the Court to direct the Collector to take into his possession any houses or other buildings belonging to and occupied by an agriculturist.	
		Section 30 ..	When any schedule debt is secured by a mortgage of any portion of the insolvent's immoveable property the Court, on application or of its own motion, may direct the Collector, if he can obtain a premium equal to the amount of such debt by letting such property for a term not exceeding twenty years, to let such property, and, if he cannot so obtain such premium, to sell such property under section 325 of the Code of Civil Procedure.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
160—*concld.*	The Sind Agriculturists Relief Act, 1879.—*concld.*	Section 30 ..	Where property is let under this section the premium shall be applied to the payment of the debt, and the rent, if any, shall for a period of seven years from the date of such letting be paid to the receiver and thereafter to the insolvent or his representative in interest. When property is sold under this section, the sale-proceeds shall be applied, first, to the payment of the debt, and the balance, if any, shall be paid to the receiver.	
		Section 32 ..	When the balance available for distribution among the scheduled creditors under section 356 of the said Code has been distributed, the claims of such creditors shall be deemed to have been discharged, except as regards the right to share in the profits of any property managed by the Collector under section 29, or let by him under section 30.	
161	The Sind Agriculturists Relief Act 1879 (Chapter IX).	Section 73-A	When the Collector has taken any immoveable property of a judgment-debtor or insolvent into his possession under section 22 or section 29, he may, by an order in writing, direct that any other such property not so taken shall be deemed to be reserved for the support of the judgment-debtor or insolvent and the members of his family dependent on him, and may rescind that order. While any such order continues in force in respect of any immoveable property, agricultral produce grown on that property shall not be attached or sold in execution of a decree passed whether before or after this Act comes into force, and shall not vest in the receiver appointed in any insolvency proceedings.	
162	The Sind Land Revenue Code, 1879.	Section 8 ..	The Provincial Government shall appoint in each district an officer who shall be the Collector and who shall be subordinate to the Revenue Commissioner of his Division and may exercise, throughout his district, all the powers and discharge all the duties conferred and imposed on a Collector or an Assistant or Deputy Collector by this Act, or any other law for the time being in force, and in all matters not specially provided for by law shall not act according to the instructions of the Provincial Government.	

		Section 8-A ..	Notwithstanding anything contained in section 8, the Provincial Government may in any district appoint an additional Collector. Such Additional Collector shall be subordinate to the Revenue Commissioner and shall throughout the district or in such part or parts thereof as the Provincial Government may direct, exercise all or any of the powers and discharge all or any of the duties conferred and imposed upon the Collector by this Act or any other law for the time being in force, as the Provincial Government may direct.	
		Section 9 ..	The Provincial Government may appoint to each district so many Assistant Collectors and so many Deputy Collectors as it may deed expedient; the Assistants shall be called "First" "Second", "Supernumerary," etc., as may be expressed in the order of their appointment. All such Assistant and Deputy Collectors and all other officers employed in the land revenue administration of the district shall be subordinate to the Collector.	
		Section 10 ..	Subject to the general orders of the Provincial Government a Collector may place any of his assistants or deputies in charge of the revenue administration of one or more of the talukas in his district, or may himself, retain charge thereof. Any Assistant or Deputy Collector thus placed in charge shall, subject to the provisions of Chapter XIII, perform all the duties and exercise all the powers conferred upon a Collector by this Act or any other law at the time being in force, so far as regards the taluka or talukas in his charge : Provided that the Collector may, whenever, he may deem fit direct any such Assistant or Deputy not to perform certain duties or exercise certain powers, and may reserve the same to himself or assign them to any other Assistant or Deputy subordinate to him. To such Assistant or Deputy Collector as it may not be possible, or expedient to place incharge of talukas, the Collector shall, under the general orders of the Provincial Government assign such particular duties and powers as he may from time to time see fit.	
		Section 11 ..	If the Collector is disabled from performing his duties, or for any reason vacates his office or leaves his district or dies, the Additional Collector, if any or where there is no such Additional Collector, the Assistant of the Collector of highest rank present in the district shall, unless other provisions has been made by the Provincial Government, succeed temporarily to his office, and shall be held to be the Collector under this Act until the Collector resumes charge of his district or until the Provincial Government appoints a successor to the former Collector and such successor takes charge of his appointment.	

PART I—CONTINUED

(b) STATEMENT SHOWING POWERS AND FUNCTIONS OF DEPUTY COMMISSIONERS/DISTRICT MAGISTRATES/ COLLECTORS UNDER VARIOUS PROVINCIAL LAWS—CONTD.

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 11—*concld.*	An officer whose principal office is different from that of an Assistant Collector, and who is an Assistant Collector for special purposes only, shall not be deemed to be an Assistant for the purposes of this section.	
		Section 12 ..	The Chief Officer entrusted with the local revenue administration of a taluka shall be called a Mukhtiarkar. He shall be appointed by the Provincial Government. His duties and powers shall be such as may be expressly imposed for conferred upon him by this Act, or by any other law for the time being in force, or as may be imposed upon, or delegated to him by the Collector under the general or special orders of the Provincial Government.	
		Section 13 ..	Whenever it may appear necessary to the Provincial Government the Provincial Government may appoint to a taluka one or more Mahalkaris and subject to the orders of the Provincial Government and of the Revenue Commissioner, the Collector may assign to a Mahalkari within his local limits such of the duties and powers of a Mukhtiarkar as he may from time to time see fit, and may also from time to time direct whether the Mahalkari's immediate superior shall for the purposes of section 203 be deemed to be the Mukhtiarkar or the Assistant or Deputy Collector or the Collector in charge of the taluka. When a defined portion of a taluka is placed in charge of a Mahalkari, such portion shall be called a mahal.	
		Section 14 ..	It shall be competent to a Mukhtiarkar or Mahalkari subject to such general orders as may from time to time be passed by the Revenue Commissioner or by the Collector, to employ any of his subordinate to perform any portion of his ministerial duties provided that all acts and orders of his subordinates when so employed shall be liable to revision and confirmation by such Mukhtiarkar or Mahalkari.	

		Section 15 ..	If a Mukhtiarkar or Mahalkari is disabled from performing his duties, or for any reason vacates his office, or leaves his taluka or mahal, or dies, such subordinate as may be designated by orders to be issued from time to time on this behalf by the Collector shall succeed temporarily to the said Mukhtiarkar's or Mahalkari's office and shall be held to be the Mukhtiarkar or Mahalkari under this Act until the Mukhtiarkar or Mahalkari resumes charge of his taluka or mahal, or until such time as a successor is duly appointed and takes charge of his appointment.	
		Section 17 ..	Subject to the general orders of the Provincial Government and of the Revenue Commissioner the Collector shall prescribe from time to time what registers, accounts and other records shall be kept by the Tapedar. It shall also be the duty of the Tapedar to prepare, whenever called upon by any superior Revenue or Police Officer of the taluka or district to do so, all writings connected with the concerns of the village which are required either for the use of the Central or the Provincial Government or the public, such as notices, reports of inquests and depositions and examinations in criminal matters.	
		Section 25 ..	The Collector or the Superintendent of Survey or any other officer deputed by the Collector or Superintendent of Survey for this purpose shall, in all cases in which he may have a claim on any revenue officer or on any person formerly employed as such in his department or district for public money or papers or other property, of the Crown, by writing under his official seal, if he use one, and signature, require the money or the particular papers or property detained to be delivered either immediately to the person bearing the said writing or to such person on such date and at such place as the writing may specify. If the officer or other person aforesaid shall not discharge the money, or deliver up the papers or property as directed, he may cause him to be apprehended, and may send him with a warrant, in the form of Schedule C, to be confined in the Civil Jail till he discharges the sums or delivers up the papers or property demanded from him: Provided that no person shall be detained in confinement by virtue of any such warrant for a longer period than one calendar month.	

PART I—contd.

(b) STATEMENT SHOWING POWERS AND FUNCTIONS OF DEPUTY COMMISSIONERS/DISTRICT MAGISTRATES/ COLLECTORS UNDER VARIOUS PROVINCIAL LAWS

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
162—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 26 ..	The Collector of his own motion, if the officer or other person is or was serving in his department and district, and upon the application of the Superintendent of Survey, if such officer or person is or was serving in the survey department in his district, may also take proceedings to recover any public money due by him in the same manner and subject to the same rules as are laid down in this Act for the recovery of arrears of land revenue from defaulters, and for the purpose of recovering public papers or other property of the Crown may issue a search warrant and exercise all such powers with respect thereto as may be lawfully exercised by a Magistrate under the provisions of Chapter VII of the Code of Criminal Procedure. It shall be the duty of all persons in possession of such public money's papers or other property of the Crown to make over the same forthwith to the Collector, and every person knowing where any such property is concealed shall be bound to give information of the same to the Collector.	
		Section 28 ..	If an officer or other person aforesaid or his surety or sureties against whom a demand is made, shall give sufficient security in the form of Schedule, the Collector shall cause such officer or surety if in custody to be liberated, and countermand the sale of any property that may have been attached and restore it to the owner.	
		Section 37 ..	(1) All public roads, lanes and paths, the bridges, ditches, dikes and fences, on, or beside, the same, the bed of the sea and of harbours and creeks below high-water-mark, and of rivers, streams, nallas, lakes, and tanks, and all canals, and water-courses, and all standing and flowing water, and all lands wherever situated, which are not the property individuals, or of aggregates of persons legally capable of holding property, and except in so far as any rights of such persons may be established in or over the same, and except as may be otherwise provided in any law for the time being in force are and are	

		Section 37 ..	hereby declared to be with all rights in or over the same, or appertaining thereto, the property of the Crown and it shall be lawful for the Collector subject to the orders of the Revenue Commissioner to dispose of them in such manner as he may deem fit, or as may be authorised by general rules sanctioned by the Government concerned, subject always to the rights of way and all other rights of the public or of individuals legally subsisting. *Explanation*—In this section "high-water-mark" means the highest point reached by ordinary spring tides at any season of the year. (2) Where any property or any right in or over any property is claimed by or on behalf of the Crown or by any person as against the Crown, it shall be lawful for the collector or a Survey Officer after formal inquiry of which due notice has been given, to pass an order deciding the claim. Whenever it appears to the Provincial Government that any public road, lane or path which is the property of the Crown for the purposes of the Province or part thereof, is not required for the use of the public; the Provincial Government, may by a notification published in the Official Gazette make a declaration to such effect, stating in such declaration that it is proposed that the rights of the public as well as of all individuals in or over any such road, lane or path, or part thereof, as the case may be shall be extinguished. On the publication of such notification, the Collector shall, as soon as possible, cause public notice of such declaration to be given at convenient places on, or in the vicinity of such road, lane or path, or part thereof, as the case may be. Such declaration and notice shall specify, as for as practicable the situation and limits of such road, lane or path, or part thereof, and shall invite objections to the aforesaid proposal. (2) Any member of the public or any person having any interest or right, in addition to the right of public highway, in or over such road, lane or path, or part thereof, or having any other interest or right which is likely to be adversely affected by the proposal may, within ninety days after the issue of the notification under sub-section (1) state to the Collector in writing his objections to the proposal, the nature of such interest or right and the manner in which it is likely to be adversely affected, and the amount and particulars of his claim to compensation for such interest or right: Provided that the Collector may allow any person to make such a statement under period of ninety days after the issue of the notification under sub-section (1) if he is satisfied that such person had sufficient cause for not making it within the said period.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
162—*concld.*	The Sind Land Revenue Code 1879—*contd.*	Section 37-A—*contd.*	(3) The Collector shall give every person who has made a statement to him under sub-section (2) an opportunity of being heard either in person or by pleader and shall, after hearing all such persons in such manner and after making such further inquiry, if any, as he thinks necessary, determine the amount of compensation, if any, which, should, in his opinion, be given in any case in respect of any substantial loss or damage likly to be caused by the proposed extinction of the rights of the public as well as individuals as aforesaid. The provisions of section 9, 10, 11, 12, 13, 14 and 15 of the Land Acquisition Act, 1894, shall so far as may be, apply to the proceedings held by the Collector for the determination of the amount of compensation under this sub-section. Provided that no compensation shall be awarded for the extinction or diminution of the right of public highway over such road, lane or path, or part thereof. (4) The Collector shall submit to the Provincial Government the record of the proceedings held by him with a report containing his recommendations on the objections, if any, received by him and stating the amounts of compensation, if any, which, in his opinon, are pa yable to any persons. (6) The decision of the Collector regarding the amount of compensation and the person to whom such compensation, if any is payable, shall subject to any modification made by th e Provincial Government, be final, and payments shall be made by the Collector to such persons accordingly.	
		Section 38 ..	Subject to the general orders of the Provincial Government it shall be lawful for survey officers whilst survey operations are proceeding under Chapter VIII and at any other time for the Collector to apart lands the property of the State for the purposes of the Proivince and not in the lawful occupation of any person or aggregate of persons, in unalienated villages or unalienated portions of villages, for free pasturage for the village cattle, for forest reserves, or for any other public or municipal purpose; and lands assigned specially for any such purpose shall not be otherwise used without the sanction of the Collector and in the disposal of land under section 37 due regard shall be had to all such special assignments.	

		Section 39 ..	The right of grazing on free pasturage lands shall extend only to the cattle of the village or villages to which such lands belong or have been assigned , and shall be regulated by rules to be from time to time, either generally or in any particular instance prescribed by the Collector with the sanction of the Revenue Commissioner. The Collector's decision in any case of dispute as to the said right of grazing shall be conclusive.	
		Section 42 ..	All road side trees which have been planted and reared by or under the orders of or at the expense of the State and all trees which have been planted and reared at the expense of Local Funds by the side of any road, which vests in the State. But in the event of such trees dying or being blown down, or being cut down by order of the Collector, t he timber shall become the property of the holder of the land in which they were growing and the usufruct, including the loppings of such trees, shall also vest in the said holder; provided that the trees shall not be lopped except under the orders of the Collector.	
		Section 43 ..	Any person who shall unauthorizedly fell and appropriate any tree or any portion thereof or remove from his holdings any other natural product whether of the like description or not which is the property of the State shall be liable to the State for the value thereof, which shall be recoverable from him as an arrear of land revenue, in addition to any penalty to which he may be liable under the provisions of this Act for the occupation of the land or otherwise; and notwithstanding any criminal proceedings which may be instituted against him in respect of his said appropriation of State property. The decision of the Collector as to the value of any such tree, or portion thereof, or other natural product, shall be conclusive.	
		Section 44 ..	In villages or lands in which the rights of the State to the trees have been reserved under section 40 subject to certain privilages of the villages or of certain classes or persons to cut firewood or timber for domestic or other purposes and in lands which have been set apart under section 38 for forest reserves subject to such privileges, and in all other cases in which such privilges exist in respect of any alienated land, the exercise of the said privileges shall be regulated by rules to be from time to time, either generally or in any particular instance, prescribed by the Collector or by such other officer as the Provincial Government may direct. In any case of dispute as to the mode or time of exercising any such privileges the decision of the Collector or of such other officer shall be conclusive.	
		Sectoion 48 ..	(4) The Collector or a survey officer may, subject to any rules made in this behalf under section 214, prohibit the use for certain purposes of any unalienated land liable to the payment of land revenue, and may summarily evict any holder who uses or attempts to use the same for any such prohibited purpose.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
162—*contd.*	The Sind Land Revenue Code, 1879.—*contd.*	Section 52 ..	On all lands which are not wholly exempt from the payment of land revenue, and on which the assessment has not been fixed under the privsions of section 102 or 106 the assessment of the amount to be paid as land revenue shall, subject to rules made in this behalf under section 214, be fixed at the discretion of the Collector for such period as he may be authorised to prescribe, and the amounts due according to such assessment shall be levied on all such lands: Provided that in the case of land partially exempt from land revenue, or the liability of which to payment of land revenue is subject to special conditions or restrictions, respect shall be had in the fixing of the assessment and the levy of the revenue to all rights legally subsisting, according to the nature of the said rights.	
		Section 53 ..	A register shall be kept by the Collector in such form as may form time to time be prescribed by the Provincial Government of all lands, the alienation of which has been established or recognised under the provisions of any law for the time being in force ; and when it shall be shown to the satisfaction of the Collector that any sanad granted in relation to any such alienated lands has been permanently lost or destroyed, he may subject to the rules and the payment of the fees prescribed by the Provincial Government under Section 313 grant to any person whom he may deem entitled to the same a certified extract from the said Register, which shall be endorseed by the Collector to the effect that it has been issued in lieu of the sanad said to have been lost or destroyed and shall be deemed to be as valid a proof of title as the said sanad.	
		Section 55 ..	The Provincial Government may authorize the Collector or the officer in charge of a survey or such other officer as it deems fit to fix such rates as it may from time to time deem fit to sanction, for the use, by landholders, and other persons, of water, the right to which vests in the state and in respect of which no rate is leviable under the Sind Irrigation Act, 1879. Such rates shall be liable to revision at such periods as the Provincial Government shall from time to time determine, and shall be recoverable as land revenue.	

		Section 56 ..	Arrears of land revenue due on account of land by any landholder shall be a paramount charge on the holding and every part thereof, failure in payment of which shall make the occupancy or alienated holding together with all rights of the occupant or holder over all trees, crops, buildings and things attached to the land or permanently fastened to anything attached to the land, liable to forfeiture, whereupon the Collector may levy all sums in arrear by sale of the occupancy or alienated holding of may otherwise dispose of such occupancy or alienated holding under rules made in this behalf under section 214 and such occupancy or alienated holding when disposed of whether by sale as aforesaid or by restoration to the defaulter or by transfer to another person or otherwise, however, shall, unless the Collector otherwise directs, be deemed, to be freed from all tenures, rights, incumbrances and equities theretofore created in faovour of any person other than the state in respect of such occupancy or holding.	
		Section 57 ..	It shall be lawful for the Collector in the event of the forfeiture of a holding through any default in payment or other failure occasioning such forefeiture under the last section or any law for the time being in force, to take immediate possession of such holding, and to dispose of the same by placing it in the possession of the purchaser or other person entitled to hold it according to the provisions of this Act or any other law for the time being in force.	
		Section 59 ..	Any person convicted of a breach of the provisions of the last preceding section after summary inquiry before the Collector shall be liable to a fine not exceeding three times the amount received for which a receipt was not duly granted; and one-half of the fine may, at the discretion of the Collector be paid to the informer, if any. Such inquiry may at any time be instituted by the Collector of his own motion without any complaint being preferred to him.	
		Section 61	Any person who shall unauthorizedly enter upon occupation of any land set apart for any special purpose, or any unoccupied land which has not been alienated and any person who uses or occupies any such land to the use or occupation of which by reason of any of the provisions of this Act he is not entitled or has ceased to be entitled shall. if the land which he unauthorizedly occupies forms part of an assesssed survey number, pay the assessment of the entire number for the whole period of his unauthorized occupation, and if the land so occupied by him has not been assessed, such amount of assesment as would be leviable for the said period in the same village on the same extent of similar land used for the same purpose ; and shall also be liable, at the discretion of the Collector, to a fine not exceeding five rupees or a sum equal to ten time the amount of assessment payablo by him for one year, if such sum be in excess of five rupees if he has taken up the land for purpose of cultivation and not exceeding such limit as may be fixed in rules made in this behalf under section 214 if he has used it for any non-agricultural purpose.	

(*B*) STATEMENT SHOWING POWERS AND FUNCTIONS OF DEPUTY COMMISSIONERS/DISTRICT MAGISTRATES/COLLECTORS UNDER VARIOUS PROVINCIAL LAWS—CONTINUED

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
162—*contd*	The Sind Land Revenue Code, 1879—*contd.*	Setion 61—*concld.*	The Collector's decision as to the amount of assessment payable for the land unauthorizedly occupied shall be conclusive, and in determining its amount occupation for a portion of a year shall be counted as for a whole year. The person unauthorizedly occupying any such land may be summarily evicted by the Collector, and any crop raised in the land shall be liable to forfeiture, and any building or other construction erected thereon shall also, if not removed by him after such written notice as the Collector may deem reasonable, to be liable to forfeiture or to summary removal. Forefeiture under this section shall be adjudged by the Collector, any property so forfeited shall be disposed of as the Collector may direct and the cost of the removal of any encroachment under this section shall be recoverable as an arrear of land revenue.	
		Section 62 ..	It shall be lawful for the Collector subject to such rules as may from time to time be made by the Provincial Government in this behalf, to require the payment of a price for unalientated land or to sell the same by auction and to annex such conditions to the grant as he may deem fit, before permission to occupy is given under section 60. The price (if any) paid for such land shall inlude the price of the state right to all trees not specially reserved under the provisions of section 40, and shall be recoverable as an arrear of land revenue.	
		Section 63 ..	When it appears to the Collector that any alluvial land, which vests under any law for the time being in force in the state for the purposes of the Province, may with due regard to the interests of the public revenue be disposed of, he shall offer the same to the occupant (if any) of the bank or shore on which such alluvial land has formed. The price of the land so offered shall not exceed three times the annual assessment thereof. If the said occupant shall refuse the offer, the Collector may dispose of the land without any restrctions as to the price to be asked.	

			For the purpose of this section, notwithstanding anything contained in section 3, if the bank or shore has been mortgaged with possession, the mortgagor shall be deemed to be the occupant thereof.	
		Section 64 ..	When alluvial land forms on any bank or shore, the occupant, if any of such bank or shore shall be entitled to the temporary use thereof unless or until the area of the same exceeds one acre. When the area of the alluvial land exceeds the said extent, it shall be at the diposal of the Collector subject to the provisions of the last preceding section.	
		Section 65 ..	An occupant of land assessed or held for the purpose of agriculture is entitled by himself, his servants, tenants, agents or other legal representatives, to erect farm buildings, construct wells or tanks, or make any other improve ments thereon for the better cultivation of the land, or its more convenient use for the purpose aforesaid. But, if any occupant wishes to use his holding or any part thereof for any other purpose the Collector's permission shall in the first place be applied for by the occupant. The Collector, on receipt of such application— (*a*) shall send to the applicant a written acknowledgment of its receipt, and (*b*) may, after due inquiry, either grant or refuse the permission applied for: Unless the Collector shall in particular instance otherwise direct, no such application shall be recognized except it be made by the occupant. When any such land is thus permitted to be used for any purpose unconnected with agriculture it shall be lawful for the Collector, subject to the general orders of the Provincial Government to require the payment of a fine in addition to any new assessment which may be leviable under the provisions of section 48.	
		Section 66 ..	If any, such land be so used without the permission of the Collector being first obtained the occupant and any tenant, or other person holding under or through him, shall be liable to be summarily evicted by the Collector from the land so used and from the entire field or survey number of which it may form a part and the occupant shall also be liable to pay, in addition to the new assessment which may be leviable under the provisions of section 48 for the period during which the said land has been so used such fine as the Collector, may, subject to the general orders of the Provincial Government direct. Any tenant of any occupant or any other person holding under or through an occupant, who shall without the occupant's consent use any such land for any such purpose, and thereby render the said occupant liable to the penalties aforesaid shall be responsible to the said occupant in damages.	

(*B*) STATEMENT SHOWING POWERS AND FUNCTIONS OF DEPUTY COMMISSIONERS/DISTRICT MAGISTRATES/COLLECTORS UNDER VARIOUS PROVINCIAL LAWS—CONTINUED

Serial No.	Act/Regulation	Section	Nature/and extent of power	Remarks
1	2	3	4	5
162—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 67 ..	Nothing in the last two preceding sections shall prevent the granting of the permission aforesaid on such terms or conditions as may be perscribed by the Collector, subject to any rules madé in this behalf by the Provincial Government.	
		Section 69 ..	An occupant is entitled to the use and occupation of his land for the period, if any, to which his tenure is limited or if the period is unlimited, or a survey settlement has been extended to the land, in perpetuity conditionally on the payment of the amounts due on account of the land revenue for the same, according to the provisions of this Act, or of any rules made under this Act, or of any other law, for the time being in force, and on the fulfilment of any other terms or conditions lawfully annexed to his tenure : Provided that nothing in this or any other section, shall make it, or shall be deemed ever to have made it, unlawful for the Collector at any time to grant permission to any person to occupy any unalienated unoccupied land for such period and on such conditions as he may, subject to rules made by the Provincial Government in this behalf prescribe, and in any such case the occupancy shall, whether a survey settlement has been extended to the land or not, be held only for the period and subject to the conditions so prescribed	
		Section 70 ..	In any case where an occupancy is not transferable without the previous sanction of the Collector, and such sanction has not been granted to a transfer which has been made or ordered by Civil Court on which the Court's decree or order is founded— (*a*) such occupancy shall not be liable to the process of any court and such transfer shall be null and void, and (*b*) the court, on receipt of a certificate under the hand and seal of the Collector, to the effect that any such occupancy is not transferable without his previous sanction and that such sanction has not been granted, shall remove any, attachment or other process placed on or set aside any sale of, or affecting, such occupancy.	

Section 72	..	If an occupant who is either a Hindu, a Muslim, or a Buddhist dies intestate and without known heirs, the Collector shall dispose of his occupancy by sale, subject to the provisions of this Act or of any other law at the time in force for the sale of forfeited occupancies in realization of the land revenue and the law at the time in force concerning property left by Hindus, Mulsims or Budhists, dying intestate and without known heirs shall not be deemed to apply to the said occupancy but to the proceeds of such sale after deducting all arrears of land revenue due by the deceased to the state and all expenses of the said sale.
Section 73(A)	..	(1) Notwithstanding anything in the foregoing section, in any tract or village to which the Provincial Government may, by notification published before the introduction therein of an original survey settlement under section 103, declare the provisions of this section applicable, occupancies shall not after the date of such notification be transferable without the previous sanction of the Collector: Provided that nothing in this sub-section shall apply to the transfer of an occupancy by way of lease or mortgage for a period not exceeding ten years except when the occupancy has been granted on the condition among others, that the occupany shall personally cultivate the land covered by the grant. The Provincial Government may, by notification in the Official Gazette from time to time exempt any part of such tract or village or any person or class of persons from the operation of this section.
Section 79-A	..	Any person unauthorizedly occupying or wrongfully in possession of any land— (a) to the use of occupation of which by reason of any of the provisions of this Act he is not entitled or has ceased to be entitled, or (b) which is not transferable without previous sanction under section 73-A or by virtue of any condition lawfully annexed to the tenure under the provisions of section 62, 67 or 68, may be summarily evicted by the Collector.
Section 80	..	In order to prevent the forfeiture of an occupancy under the provisions of section 56 or of any other law for the time being in force, through non-payment by the occupant of the land revenue due on account thereof, it shall be lawful for any person interested to pay on behalf of such occupant all sums due on account of land revenue, and the Collector shall on due tender there of receive the same. And in any such case the Collector may under section 86 give to the person who has paid the land revenue as aforesaid aid for the recovery of any portion of such land revenue which he may consider to be properly payable by other persons:

(*B*) TATMENT SHOWING POWERS AND FUNCTIONS OF DEPUTY COMMISSIONERS/DISTRICT MAGISTRATES/COLLECTORS UNDER VARIOUS PROVINCIAL LAWS—CONTINUED

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code 1879—*contd.*	Section 80—*concld.* ..	Provided that nothing authorised or done under the provisions of this section shall affect the rights of the parties interested as the same may be established in any suit between such parties in a Court of competent jurisdiction.	
		Section 82-A ..	When an occupancy is sold to, or is for the time being held by, more than one person in defined shares on condition that the occupancy price shall be paid in instalments and default is made in the payment of any such instalment the following provisions shall have effect, namely :— (1) if a co-sharer in such occupancy has paid in respect of his share all the amount due until the date of such default, proportionate to such share, the Collector may, notwithstanding anything contained in the agreement of sale in respect of such occupancy or any law for the time being in force, sub-divide the occupancy and keep the agreement alive with respect to such share and cancel it with respect to the rest of the occupancy ; (2) the agreement of sale shall have effect as respects such share as if for the occupancy price and the instalments specified therein an amount proportionate to such share or instalments were substituted ; (3) when an occupancy has been sub-divided as aforesaid the Collector shall partition the land in accordance with such sub-division.	
		Section 86 ..	Superior holders shall, upon written application to Collector, be entitled to assistance, by the use of precautionary and other measures, for the recovery of rent or land revenue payable to them by inferior holders, or by co-sharers in their holdings under the same rules, except that contained in section 137, and in the same manner as prescribed in Chapter XI * * * for the realization of land revenue by the Provincial Government : Provided that such application be made within the revenue year or within the year of tenancy in which the said rent or and revenue became payable.	

		Section 87 ..	(1) On application being made under section 86 to the Collector he shall cause a writen notice thereof to be served on the inferior holder or co-sharer fixing a day for inquiry into the case.	
			(2) On the day so fixed he shall hold a summary inquiry, and shall pass an order for rendering assistance to the superior holder for the recovery of such amount, if any of rent or land revenue as appears to him upon the evidence before him to be lawfully due.	
			(3) But, if it appears to the Collector that the question at issue between the parties is of a complicated of difficult nature he may in his discretion either refuse the assistance asked for or, if the land to which the dispute relates, has been assessed under the provisions of Chapter VIII or any survey settlement confirmed by section 112, grant assistance to the extent only for the assessment so fixed upon the said land.	
		Section 90 ..	If the holder of any such commission attach a defaulter's property, he shall make an immediate report to the Collector of his having done so. Should the demand on account of which the attachment has been made, appear to the Collector, after such inquiry as he may deem fit to make, to be just, he shall give orders for the sale of the property and the sale shall be conducted agreeably to the provisions of sections 165 to 186.	
		Section 91 ..	All compulsory process shall cease:	
		..	on the dafaulter's paying or tendering the amount demanded of him under protest, or	
			on his furnishing either to the holder of the commission or his agent or agents, or to the Collector, satisfactory security in the form of Schedule D or to similar effect.	
		..	And any holder of any such commission as aforesaid, by himself or his agents, proceeding with any compulsory process after payment made, or tendered as aforesaid, or after the furnishing of such security as aforesaid or after tender thereof, shall be liable, on conviction in a summary inquiry before the Collector, to a penalty not exceeding three times the amount of the revenue sought to be recovered by such compulsory process.	
		Section 93 ..	The holder of any such commission shall not enfroce a demand for revenue or rent in excess of what any inferior holder has paid previously to the date of such demand, or of what may have contracted in writing to pay. In the event of a dispute the Collector shall hold a summary inquiry and decide what is just, and the holder of a commission shall not enforce a demand for more than what is so decided to be just.	

(b)—STATEMENT SHOWING POWERS AND FUNCTIODS OF DEPUTY COMMISSIONERS/DISTRICT MAGISTRATES/ COLLECTORS UNDER VARIOUS PRVOVINCIAL LAWS

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code—1879—*contd.*	Section 93—*concld.* ..	The person against whom any demand shall have been enforced in excess of the amount of which payment is lawfully enforceable shall be entitled to recover, on conviction of the holder of the commission in a summary inquiry before the Collector three times the amount of any such excessive demand by way of damages, and the sum so due by the holder of the commission shall be leviable from him as an arrear of land revenue.	
		Section 94-A	(2) The Collector shall after making such inquiry as he deems fit determine the amount of the land revenue due to the superior holder, and thereupon the following provisions shall apply :—	
			(*a*) any land revenue that accrues or has accrued due to the superior holder shall, to an extent not exceeding the assessment fixed on the land, be recoverable under orders of the revenue authorities as a revenue demand ;	
			(*b*) the land revenue so recovered shall be distributed as follows :—	
			(*i*) the Provincial Government shall appropriate to itself an amount equivalent to the hokabo payable in respect of the land ;	
			(*ii*) if there is a pattadar having a share in the land revenue or a sub-sharer in a Jagir the Provincial Government may pay to such pattadar his share or to such sub-sharer the amount of subsistence allowance payable under circular No. 17 of the Commissioner in Sinds Special Circular, as the case may be;	
			(*iii*) the Provincial Government shall pay to the superior holder the balance of the land revenue after deducting the cost of recovery of the land revenue calculated at the rate of three per cent of the total revenue minus the hakabo recovered under this sub-section.	

			(3) Where a Pattadar is entitled to a share of land revenue from a superior holder, any alienated land or where a sub-sharer has been awarded a subsistence allowance under circular No. 17 of the Commissioner in Sind's Special Circulars, and the superior holder has not made an application under sub-section (1), the amount due to such Pattadar or sub-sharer as the case may be, may on application made by such Pattadar or sub-sharer in the form and to the authority referred to in sub-section (1) be recovered from the superior holder as a revenue demand, and the amount so recovered shall be paid to the applicant after deducting therefrom the cost of recovery the rate specified in sub-section (2).	
		Section 111 ..	In the event of any alienated village or estate not falling under sub-section (1A) of section 216 coming under the temporary management of servants of the state, it shall be lawful for the Collector to let out the land thereof at rates determined by means of a survey, settlement or at such other fixed rates as he may deem to be reasonable, and to grant unoccupied lands on lease otherwise to conduct the revenue management thereof under the rules for the management of unalienated land, so far as such rules may be applicable and for so long as the said village or estate shall be under the management of servants of the State : provided, however, that any written agreement relating to the land made by the superior holder of such village or estate, shall not be affected by any proceedings under this section in so far as they shall not operate to the detriment of the lawful claims of the State on the land.	
		Section 113 ..	Expenses properly incurred in making partition of estates paying revenue to the Provincial Government shall be recoverable as a revenue demand in such proportions as the Collector may think fit from the shares at whose request the partition is made, or from the persons interested in the partition.	
		Section 114 ..	Whenever any one or more co-sharers in any estate into which a revenue survey has been introduced consent to a partition of said estate, it shall be lawful for the Collector, or for any other officer duly empowered by him in this behalf, to divide the said estate into shares according to the respective right of the co-sharers, and to allot such shares to the co-sharers : Provided that no such partition shall be made, unless— (*a*) all the co-sharers are agreed as to the extent of their respective rights in estate, and (*b*) the assessment of the share or shares consenting to such partition exceeds one-half of the assessment of the entire estate. In such cases the expenses of partition shall be recovered as a revenue emand from all the co-sharers in the estate divided.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 116 ..	When any portion of cultivable land is permitted to be used under the provisions of section 65 or 67 for any non-agricultural purpose or when any portion of land is specially assigned under section 38, or when any assessment is altered or levied on any portion of land under sub-section (2) or sub-section (3) of section 48 such portion may, with the sanction of the Collector be made into a separate number at any time notwithstanding the provisions of section 98.	
		Section 117-B ..	If any sub-division of a survey number is relinquished under section 74 or is forfeited for default in payment of land revenue, the Collector shall offer such sub-division at such price as he may consider it to be worth to the occupants of the other sub-division of the same survey number in such order as in his discretion he may think fit ; in the event of all such occupants refusing the same, it shall be disposed of as the Collector shall deem fit: Provided that until the said sub-division shall be occupied or until the entire survey number shall be relinquished, whichever event may first occur, the assessment of the said sub-division shall be levied from the occupants of the other sub-divisions of the survey number in proportion to the amount of assessment due from such occupants on account of their sub-divisions. For the purposes of this section notwithstanding anything contained in section 3, if any of the other sub-divisions have been mortgaged with possession, the mortgagors shall be deemed to be the occupants thereof.	
		Section 119 ..	If, at the time of a survey, the boundary of a field or holding be undisputed, and its correctness be affirmed by the village officers then present, it may be laid down as pointed out by the holder or person in occupation, and, if disputed or if the said holder or person in occupation be not present it shall be fixed by the survey officer according to the land records and according to occupation as ascertained from the village officers and the holders of adjoining lands, or on such other evidence or information as the survey officer may be able to procure.	

			If any dispute arise concerning the boundary of a field or holding which has not been surveyed, or if at any time after the completion of a survey a dispute arise concerning the boundary of any survey number or sub-division of a survey number it shall be determined by the Collector, who shall be guided by the land records if they afford satisfactory evidence of the boundary previously fixed, and if not, by such other evidence as he may be able to procure.	
		Section 121 ..	(2) Where a boundary has been so fixed, the Collector may at any time summarily evict any land holder who is wrongfully in possession of any land which has been adjudged in the settlement of a boundary not to appertain to his holding or to the holding of any person through or under whom he claims.	
		Section 124 ..	When the survey settlement shall have been introduced into a district, the charge of the boundary marks shall devolve on the Collector, and it shall be his duty to take measures for their construction, laying out, maintenance and repair and for this purpose the powers conferred on survey officers by section 122 shall vest in time.	
		Section 125 ..	Any person convicted after a summary inquiry before the Collector or before a survey officer, Mukhtiarkar or Mahalkari of wilfully erasing, removing or injuring a boundary mark theodolite or traverse station shall be liable to a fine not exceeding fifty rupees for each mark so erased, removed, or injured.	
			One-half of every fine imposed under this section may be awarded by the officer imposing it to the informer, if any, and the other half shall be chargeable with the cost of restoring the mark.	
		Section 126 ..	It shall be lawful for the Collector, or for a survey officer, acting under the general or special orders of the Provincial Government to determine what lands are included within the site of any village, town, or city, and to fix, and from time to time to very the limits of the same, respect being had to all subsisting rights of landholders.	
		Section 129 ..	(1) Claims to exemption under the last preceding section shall be determined by the Collector after a summary inquiry and his decision shall be final.	
			(2) Any suit instituted in a Civil Court to set aside any order passed by the Collector under sub-section (1) in respect of any land situate within the site of a village, town or city, shall be dismissed (although limitation has not been set up as a defence) if it has not been instituted within one year from the date of the order.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 132 ..	When a survey is extended under the provisions of the last preceding section to the site of any town or city containing more than two thousand inhabitants, each holder of a building site shall be liable to the payment of a survey fee to be assessed by the Collector under such rules as may be prescribed in this behalf from time to time by the Provincial Government; provided that the said fee shall in no case exceed ten rupees for each building site or any portion thereof held separately.	
			The said survey fee shall be payable within six months from the date of a public notice to be given in this behalf by the Collector after the completion of the survey of the site of the town or city, or of such part thereof as the notice shall refer to.	
		Section 133 ..	Every holder of a building site as aforesaid shall be entitled, after payment of the said survey fee to receive from the Collector without extra charge one or more sanads, in the form of Schedule H, or to the like effect specifying by plan and desctiption the extent and conditions of his holding ;	
			Provided that if such holder do not apply for such sanad or sanads at the time of payment of the survey fee or thereafter within six months from the date of the public notice issued by the Collector under the last preceding section, the Collector may require him to pay an additional fee not exceeding one rupee for each sanad.	
			Every such sanad shall be executed on behalf of the Crown by such officer as may from time to time be lawfully empowered to execute the same.	
		Section 135-F ..	Any person neglecting to make the report required by section 135-C, or furnish the information or produce the documents required by section 135-E within the prescribed period shall be liable, at the discretion of the Collector, to be charged a fee not exceeding twenty-five rupees, which shall be leviable as an arrear of land revenue.	

		Section 135-H ..	(3) After the disposal of any case in which a certified copy of any such entry has been recorded, the Court shall communicate to the Collector any error appearing in such entry and any alteration therein that may be required by reason of the decree or order, and a copy of such communication shall be kept with the record. The Collector shall in such case cause the entry to be corrected in accordance with the decree or decision of the Court, so far as it adjudicates upon any right required to be entered in the record of rights, register of mutations or register of tenancies. The provisions of this sub-section shall apply also to an appellate or revisional Court : provided that in the case of an appellate or revisional decree or order passed by the High Court or the Chief Court of Sind, the communication shall be made by the Court from which the appeal lay or the record was called for.	
		Section 135-I ..	Notwithstanding anything in section 87, the Collector shall refuse assistance to any superior holder under the said section, if his claim to such assistance is not supported by an entry or entries duly made in the record of rights, register or mutations or register of tenancies.	
		Section 140 ..	When the crop of any land or any portion of the same is sold, mortgaged or otherwise disposed of, whether by order of a Civil Court or other public authority or by private agreement, the Collector may prevent it being removed from the land until the demands for the current year in respect of the said land have been paid, whether the date fixed for the payment of the same under the provisions hereinafter contained, has yet arrived or not. But in no case shall a crop or any portion of the same, which has been sold, mortgaged or otherwise disposed of, be detained on account of more than the demands of the year in which the detention is made.	
		Section 141 ..	It shall be lawful for the Collector, in order to secure the payment of the land revenue by enforcement of the lien of the Provincial Government on the crop— (a) to require that the crop growing on any land liable to the payment of land revenue shall not be reaped until a notice in writing has first been given to himself or to some other officer to be named by him, in this behalf, and such notice has been returned endorsed with an acknowledgment of its receipt ; (b) to direct that no such crop shall be removed from the land on which it has been reaped, or from any place in which it may have been deposited, without the written permission of himself or of some other officer as aforesaid ;	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 141—*concld.*	(c) to cause watchmen to be placed over any such crop to prevent the unlawful reaping or removal of the same, and to realize the amount required for the remuneration of the said watchmen, at such rate not exceeding the rate of pay received by the peons on his establishment as he may deem fit, as an arrear of land revenue due in respect of the land to which crop belongs.	
		Section 142 ..	The Collector's orders under either clause (a) or clause (b) of the last preceding section may be issued generally to all the holders of land paying revenue to the Provincial Government in a village or to individual holders merely. If the order be general, it shall be made known by public proclamation to be made by beat of drum in the village and by affixing a copy of the order in the Tapedar's Dero or some other public building in the village. If it be to individual holders, a notice thereof shall be served on each holder concerned. Any person who shall disobey any such order after the same has been so proclaimed, or a notice thereof has been served upon him, or who shall within the meaning of the Pakistan Penal Code, abet the disobedience of any such orders, shall be liable, on conviction after a summary inquiry by the Collector, to a fine not exceeding double the amount of the land revenue due on the land to which the crop belongs in respect of which the offence is committed.	
		Section 143 ..	The Collector shall not defer the reaping of the crop, nor prolong its deposit unduly, so as to demage the produce ; and it within two months after the crop has been deposited the revenue due has not been discharged, he shall either release the crop and proceed to realize the revenue in any other manner authorised by this chapter or take such portion thereof as he may deem fit, for sale under the provisions of this chapter applicable to sale of movable property in realization of the revenue due and of all legal costs and realease the rest.	

		Section 144 ..	If owing to disputes amongst the sharers, or for other cause, the Collector shall deem that there is reason to apprehend that the land revenue payable in respect of any holding consisting of an entire village or of share of a village will not be paid as it falls due, he may cause the village or share to be attached and taken under the management of himself or any agent whom he appoints for that purpose. The provisions of section 160 shall apply to any village or share of a village so attached, and all surplus profits of the land attached, beyond the cost of such attachment and management, including the payments of the land revenue and the cost of the introduction of a revenue survey, if the same be introduced under the provisions of section 111, shall be kept in deposit for the eventual benefit of the person or persons entitled to the same, or paid to the said person or persons from time to time as the Collector may direct.	
		Section 145 ..	The precautionary measures authorized by the last five sections shall be relinquished if the person primarily responsible for the payment of revenue or any person who would be responsible for the same if defaults were made by the person primarily responsible shall pay the costs, if any, lawfully incurred by the Collector up to the time of such relinquishment, and shall furnish security satisfactory to the Collector for the payment of the revenue, at the time at which, or in the instalments, if any, in which, it is payable under the provisions hereinafter contained.	
		Section 148 ..	If any instalments of land revenue be not fully paid within the perscribed time, it shall be lawful for the Collector to impose as a penalty or as interest such charge on such instalments, and on the arrears, if any, of former years, as may be authorised according to a scale to be fixed from time to time under the orders of the Provincial Government and further to proceed to levy at once the entire balance of land revenue due by the defaulter for the current year : Provided that no such charge shall be imposed on any instalment, the payment of which has been suspended by order of the Provincial Government, in respect of the period during which the payment remained suspended.	
		Section 149 ..	A statement of account, certified by the Collector or by an Assistant or Deputy Collector, shall, for the purposes of this chapter, be conclusive evidence of the existance of the arrear of the amount of land revenue due, and of the person who is the defaulter. On receipt of such certified statement, it shall be lawful for the Collector of one district to proceed to recover the demands of the Collector of any other district under the provisions of this chapter as if the demand arose in his own district.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 149—*concld.*	A similar statement of account certified by the Collector of Karachi may be proceeded upon as if certified by the Collector of a district under this Act.	
		Section 153 ..	The Collector may declare the occupancy or alienated holding in respect of which an arrear of land revenue is due, to be forfeited to the Provincial Government and sell or otherwise dispose of the same under the provisions of sections 56 and 57, and credit the proceeds, if any, to the defaulter's accounts: Provided that the Collector shall not declare any such occupancy or alienated holding to be forfeited— (*a*) unless previously thereto he shall have issued a proclamation and written notices of the intended declaration in the manner prescribed by sections 165 and 166 for sales of immovable property, and (*b*) until after the expiration of at least fifteen days from the latest date on which any of the said notices shall have been affixed as required by section 166.	
		Section 154 ..	The Collector may also cause the defaulter's movable poperty to be distrained and sold. Such distraints shall be made by such officers or class or officers as the Revenue Commissioner under the orders of the Provincial Government may from time to time direct.	
		Section 155 ..	The Collector may also cause the right, title and interest of the defaulter in any immovable property other than the land on which the arrear is due to be sold.	
		Section 156 ..	All such property as is by the Civil Procedure Code exempted from attachment or sale in execution of a decree, shall also be exempted from distraint or sale, under either of the last two preceding sections. The Collector's decision as to what property is so entitled to exemption shall be conclusive.	

		Section 157 ..	At any time after an arrear becomes due, the defaulter may be arrested and detained in custody for ten days in the office of the Collector or of a Mukhtiarkar, or Mahalkari, unless the revenue due together with the penalty or interest and the costs of arrest and of notice of demand, if any, have issued and the cost of his subsistence during detention is sooner paid. If, on the expiry of ten days, the amount due by the defaulter is not paid, then, or if the Collector deem fit on any earlier day, he may be sent by the Collector with a warrant in the form of Schedule C, for imprisonment in the civil jail of the district : Provided that no defaulter shall be detained in imprisonment for a longer period than the time limited by law in the case of the execution of a decree of a Civil Court for a debt equal in amount to the arrear of revenue due by such defaulter.	
		Section 159 ..	If the holding, in respect of which an arrear is due, consists of an entire village, or of a share of a village, and the adoption of any of the other processes before specified is deemed inexpedient, the Collector may, with the previous sanction of the Revenue Commissioner cause such village or share of a village to be attached and taken under the management of himself or any agent whom he appoints for that purpose.	
		Section 160 ..	The lands of any village or share of a village so attached shall revert to the State unaffected by the acts of the superior holder or of any of the sharers, or by any charges or liabilities subsisting against such lands, or against such superior holder or sharers as are interested therein, so far as the public revenue is concerned, but without prejudice in other respects to the rights of individuals ; and the Collector or the agent so appointed shall be entitled to manage the lands attached, and to receive all rents and profits accruing therefrom to the exclusion of the superior holder or any of the sharers thereof, until the Collector restores the said superior holder to the management thereof.	
		Section 162 ..	The village or share of a village so attached shall be released from attachment, and the management thereof shall be restored to the superior holder on the said superior holder's making an application to the Collector for that purpose at any time within twelve years from the first of August next after the attachment. If at the time that such application is made it shall appear that the arrear has been liquidated ; or if the said superior holder shall be willing to pay the balance, if any, still due by him and shall do so within such period as the Collector may prescribe in that behalf.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	5	5
161—*contd.*	The Sind Land Revenue Code 1879—*contd.*	Section 162—*concld.*	The Collector shall make over to the superior holder the surplus receipts, if any, which have accrued in the year in which his application for restoration of the village or share of a village is made after defraying all arrears and costs; but such surplus receipts, if any of previous years, shall be at the disposal of the Provincial Government.	
		Section 163 ..	If no application be made for the restoration of a village or portion of a village so attached within the said period of twelve years or if, after such application has been made, the superior holder shall fail to pay the balance, if any, still due by him within the prescribed period by the Collector in this behalf, the said village or portion of a village shall thence forward vest in the State for the purposes of the Province free from all incumbrances created by the superior holder or any of the sharers o rany of his or their predecessors-in-title, or in anywise subsisting as against such superior holder or any of the sharers, but without prejudice to the rights of the persons in actual possession of the land.	
		Section 164 ..	(1) A defaulter against whom proceedings are taken under this Chapter may pay the amount claimed, under protest, and upon such payment the proceedings shall be stayed. (2) A defaulter, detained in custody or imprisoned in civil jail may give before the Collector or other person nominated by him, security tin the form of Schedule D, satisfactory to the Collector or such other person, undertaking to pay, under protest, within a period not exceeding six months the amount claimed and thereon the defaulter shall forthwith be set at liberty and the execution of any process shall at any time be stayed.	
		Section 165 ..	When any sale of either movable or immovable property is ordered under the provisions of this Chapter, the Collector shall issue a proclamation, in the vernacular language of the district of the intended sale, specifying the time and place of sale, and in the case of movable property whether the sale is subject to confirmation or not, and, when land paying revenue to the Provincial Government is to be sold, the revenue assessed upon it, together with any other particulars he may think necessary.	

161—*contd.*			Such proclamation shall be made by beat of drum at the headquarters of the taluka, and in the village in which the immovable property is situate, if the sale be of immovable property; the proclamation shall be made in the village in which such property was seized, and in such other places as the Collector may direct.	
		Section 166 ..	A written notice of the intended sale of immovable property and of the time and place thereof, shall be affixed in each of the following places, *viz.*, the office of the Collector of the district, the office of Mukhtiarkar or Mahalkari of the taluka or mahal in which the immovable property is situate, the Tapedar's Dero or some other public building in the village in which it is situate, and the defaulter's dwelling-place.	
			In the case of movable property, the written notice shall be affixed in the Mukhtiarkar's or Mahalkari's office, and in the Tapedar's Dero or some other public building in the village in which such property was seized.	
			The Collector may also cause notice of any sale, whether of movable or immovable property, to be published in any other manner that he may deem fit.	
		Section 167 ..	Sales shall be made by auction by such persons as the Collector may direct.	
			No such sale shall take place on a Sunday or other general holiday recognized by the Provincial Government nor until after the expiration of at least thirty days in the case of immovable property, or seven days in the case of movable property, from the latest date on which any of the said notices shall have been affixed as required by the last preceding section.	
			The sale may from time to time be postponed for any sufficient reason.	
		Section 168 ..	Nothing in the last three sections applies to the sale of perishable articles. Such articles shall be sold by auction with the least possible delay, in accordance with such orders as may from time to time be made by the Collector either generally or specially in that behalf.	
		Section 170 ..	Sales of perishable articles shall be at once finally concluded by the officer conducting such sales. All other sales of movable property shall be finally concluded by the officer conducting such sales, or shall be subject to confirmtion, as may be directed in orders to be made by the Collector either generally or specially in that behalf. In the case of sales made subject to comfirmation, the Collector shall direct by whom such sales may be confirmed.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code, 1879—*contd.*	Section 176 ..	If the proceeds of the sale which is eventually made, be less than the price bid by such defaulting purchaser the difference shall be recoverable from him by the Collector as an arrear of land revenue.	
		Section 178 ..	At any time within thirty days from the date of the sale of immovable property application may be made to the Collector to set aside the sale on the ground of some material irregularity or mistake, or fraud in publishing or conducting it;	
			but except as is otherwise provided in the next following section, no sale shall be set aside on the ground of any such irregularity or mistake unless the applicant proves to the satisfaction of the Collector that he has sustained substantial injury by reason thereof.	
			If the application be allowed, the Collector shall set aside the sale and direct a fresh one.	
		Section 179 ..	On the expiration of thirty days from the date of the sale, if no such application as is mentioned in the last preceding section has been made, or if such application has been made and rejected, the Colletor shall make an order confirming the sale;	
			Provided that, if he shall have reason to think that the sale ought to be set aside notwithstanding that no such application has been made, or on grounds other than those alleged in any application which has been made and rejected, he may, after recording his reasons in writing set aside the sale.	
		Section 181 ..	After a sale of any occupancy or alienated holding has been confirmed in manner aforesaid, the Collector shall put the person declared to be the purchaser into possession of the land and shall cause his name to be entered in the land records as occupant or holder in lieu of that of the defaulter, and shall grant him a certificate to the effect that he has purchased the land to which the certificate refers.	

		Section 18 ..	If the Canal Officer considers the construction of such watercourse expedient, he may call upon the applicant to deposit any part of the expense, such officer may consider necessary, and upon such deposit being made shall cause inquiry to be made into the most suitable alignment for the said water-course, and shall mark out the land which in his opinion, it will be necessary to occupy for the construction thereof, and shall forthwith publish a notification in every village through which the water-course is proposed to be taken, that so much of such land as is situated within such village has been so marked out, and shall send a copy of such notification to the Collector of every district in which such land is situated, for publication on such land.	
		Section 19 ..	On receipt of copy of such notification, the Collector shall proceed to acquire such land under the provisions of the Land Acquisition Act, 1870, as if a declaration had been issued by the Provincial Government for the acquisition thereof under section 6 of that Act, and as if the Provincial Government had thereupon directed the Collector to take order for the acquisition of such land under section 7 of the said Act, and (if necessary) as if the Provincial Government had issued orders for summary possession being taken under section 17 of the said Act.	
		Section 23 ..	On receipt of any such application, the canal officer shall serve notice on the owners to show cause why such authority should not be granted, or such declaration should be made, and, if no objection be raised, or if any objection be raised and be found insufficient or invalid, shall, subject to the approval of the Collector, either authorize the applicant to use the water-course or declare him to be a joint owner thereof on such conditions as to the payment of compensation or rent or otherwise as may appear to him equitable.	
		Section 26 ..	Whenever a dispute arises between two or more persons in regard to their mutual rights or liabilities in respect of the use, construction or main of a water-course, or among joint owner of a water course, as to their respective shares of the expense of constructing or maintaining such water-course, or as to the amounts severally contributed by them towards such expense, or as to failure on the part of any owner to contribute his share, any person interested in the matter of such dispute may apply, in writing, to any canal officer duly empowered to receive such applications stating the matter in dispute. Such officer shall thereupon give notice to the other persons interested that, on a day to be named in such notice, he will proceed to inquire into the said matter, and if all the persons interested consent, in writing, to his being arbitrator, he may pass his order thereon ;	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
162—*contd.*	The Sind Irrigation Act, 1879—*contd.*	Section 26—*concld.*	failing such consent, he shall transfer the matter to the Collector, who shall inquire into and pass his order thereon. Any order passed by the Collector under this section shall, remain in force until set aside by a decree of a civil Court.	
		Section 32 ..	No claim for compensation under this Act shall be entertained after the expiration of twelve months from the time when the damage complained of commenced, unless the Collector is satisfied that the claimant had sufficient cause for not making the claim within such period.	
		Section 34 ..	In every case of entry upon any land or building under section 6, section 7, section 8, or section 9, the Canal Officer or person making the entry shall ascertain and record the extent of the damage, if any, caused by the entry, or in the execution of any work, to any crop, tree, building or other property,' and within one month from the date of such entry compensation shall be tendered by a Canal Officer duly empowered in this behalf to the landholder or owner of the property damaged. If such tender is not accepted, the Canal Officer shall forthwith refer the matter to the Collector for the purpose of making inquiry as to the amount of compensation and deciding the same.	
		Section 35 ..	If the supply of water to any land irrigated from a canal be interrupted otherwise than in the manner described in calsue (d) of section 31, the holder of such land may present a petition for compensation to the Collector for any loss arising from such interruption, and the Collector, after consulting the Canal Officer shall award to the petitioner reasonable compensation for such loss.	

		Section 186 ..	If any claim shall be set up by a third person to movable property attached under the provisions of this Chapter, the Colllector shall amdit or reject his claim on a summary inquiry held after reasonble notice. If the claim be admitted, wholly or partly, the property shall be dealt with accordingly. Except in so far as it is admitted, the property shall be sold and the title of the purchaser shall be good for all purposes, and the proceeds shall be dispesable as hereinbefore directed.	
		Section 190 ..	Every summons shall be in writing in duplicate, and shall state the purpose for which it is issued and shall be signed by the officer, issuing it, and if he has a seal shall also bear his seal; and shall be served by tendering or delivering a copy of it to the person summoned, or, if he cannot be found, by affixing a copy of it to some conspicuous part of his usual residence. If his usual residence be in another district, the summons may be sent by post to the Collector of that district, who shall cause it to be served in accordance with the preceding clause of this section.	
		Section 202 ..	Whenever it is provided by this, or by any other Act for the time being in force, that the Collector may or shall evict any person wrongfully in possession of land, such eviction shall be made in the following manner, viz :— by serving a notice on the person or persons in possession requiring them within such time as may appear reasonable after receipt of the said notice to vacate the land, and, if such notice is not obeyed by removing or deputing a subordinate to remove any person who may refuse to vacate the same, and if the officer removing any such person shall be resisted or obstructed by any person, the Collector shall hold a summary inquiry into the facts of the case, and if satisfied that the resistance or obstruction was without any just cause, and that such resistance and obstruction still continue, may, without prejudice to any proceedings to which such person may be liable under any law for the time being in force for the punishment of such resistance or obstruction, issue a warrant for the arrest of the said person, and on his appearance commit him to close custody in the office of the Collector or of any Mukhtiarkar or Mahalkari or send him with a warrant, in the form of Schedule I, for imprisonment in the civil jail of the district for such period not exceeding thirty days, as may be necessary to prevent the continuance of such obstruction or resistance.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
161—*contd.*	The Sind Land Revenue Code 1879—*concld.*	Section 211 ..	The Provincial Government and any revenue officer, not inferior in rank to an Assistant or Deputy Collector or a Superintendent of Survey, in their respective departments, may call for and examine the record of any inquiry or the proceedings of any subordinate revenue officer, for the purpose of satisfying, itself; or himself, as the case may be, as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer. The following officers may in the same manner call for and examine the proceedings of any officer subordinate to them in any matter in which neither a formal nor a summary inquiry has been held, namely, a Mukhtiarkar, Mahalkari, and Assistant Superintendent of Survey and an Assistant Settlement Officer. If in any case, it shall appear to the Provincial Government or to such officer aforesaid, that any decision or order or proceedings so called for should be modified, annulled or reversed it or he may pass such order thereon as it or he deems fit ; Provided that an Assistant or Deputy Collector shall not himself pass such order in any matter in which a formal inquiry has been held, but shall submit the record with his opinion to the Collector, who shall pass such order thereon as he may deem fit.	
162	The Sind Irrigation Act, 1879	Section 14 ..	If within the time so fixed, such person does not comply with the order, the Canal Officer may cause the obstruction to be removed or modified, and if the person to whom the order was issued does not, when called upon, pay the expenses of such removal or modification, such expenses shall be recoverable by the Collector as an arrear of land revenue.	

		Section 81 ..	When any Record of rights has been prepared or revised under this Part it shall be published in the language, of the district at the Mukhtiarkar's Office of the taluka in which the work is situated and in every town and village which in the opinion of the Collector is affected by such Record of rights.	
		Section 83 ..	(2) Save as provided in sub-section (1) no suit shall lie against the Provincial Government in respect of anything done by the Collector, Canal Officer or any other person acting under the orders of the Provincial Government in the exercise of any power by this Part conferred on such Collector, Canal Officer or other person or on the Provincial Government.	
		Section 91 ..	(2) (*iii*) If no settlement in respect of the said objections be arrived at between the Canal Officer and the holder or holders of the land and the owner or owners of the water-course the Canal Officer shall forthwith refer the matter to the Collector whose decision, subject to any orders that may be passed in revision by the Revenue Commissioner, shall be final and conclusive as regards the alignment and construction of the proposed water-course and shall not be called in question in any Civil Court.	
		Section 92 ..	(6) Any person aggrieved by an order of a Canal Officer under sub-section (4) as to the apportionment of the cost of construction of a water-course may present a petition to the Collector requesting him to revise that order, and the Collector after such inquiry as he thinks necessary and after giving the person concerned a reasonable opportunity of being heard may, pass orders as he thinks fit. The orders passed by the Collector shall, subject to revision by the Revenue Commissioner be final and conclusive unless modified by a Civil Court of competent jurisdiction. (7) If after the construction of any water-course under the provisions of this section, the Canal Officer finds that any further alteration in the alignment or construction of the said water course are necessary, it shall be lawful for him with the previous sanction of the Collector, to carry out such alterations at the expense of the Provincial Government. *Explanation*—For the purpose of this section 'the cost of constructing a water course" shall include the cost of aligning the water-course and of such preliminary operations as are necessary for such alignment, but shall not include more than two-third of the cost of main rectangulation, and sub-rectangulation.	
		Section 92-A ..	(3) The provisions of sub-section (6) of section 92 shall apply *mutatis mutandis* to an order of the Canal Officer as to the revision under sub-section (1) of the sum due except that the order of the Collector shall be subject only to revision by the Revenue Commissioner for Sind and shall not be called into question on any ground whatever in any Civil court.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS.
1	2	3	4	
162—*contd.*	The Sind Irrigation Act, 1879—*contd.*	Section 5 ..	When any such statement has been issued for any tract, the Collector may, in manner hereinafter provided, grant occupancies of lands in such tract on the conditions prescribed in such statement.	
		Section 6 ..	Before an occupancy of any lands is granted on such conditions to any person in any such tract, the Collector shall prepare a sanad in duplicate describing such lands and otherwise in such form and containing such particulars as the Provincial Government may prescribe. One copy shall be signed by the proposed occupant in token of acceptance of the occupancy and shall be retained by the Collector, and the other copy shall thereupon be delivered to such proposed occupant : Provided that where the Collector, in lieu of any of the lands described in any such sanad, subsequently grants the occupancy of any other lands in any such tract, he may, instead of preparing a fresh sanad in duplicate as aforesaid, endorse a note of this on the copies of the sanad already prepared, and have the endorsement on his copy signed by the occupant in token of his consent thereto.	
		Section 8 ..	The rights or interests vested in an occupant by or under this Act shall not be capable of being attached or sold in execution of a decree or order of any Court or in any insolvency proceedings, nor shall they or any of them, without the previous consent in writing of the Collector be transferred or charged by any sale, gift or mortgate or other private contract: Provided that nothing in this section shall apply to— (*a*) any transaction to which a co-operative society registered under the Sind Co-operative Societies Act, 1925 (Sind VII of 1925), is a party ;	

		Section 36 ..	The decision of the Collector under either of the last two pre ceding sections as to the amount of compensation to be awarded or if in any rule framed under section 70 such decision shall be declared to be appealable, then the decision of the authority to whom the appeal lies, shall be conclusive.	
		Section 37 ..	As soon as practicable after the issue of a notification under section 5, the Collector shall cause public notice to be given at convenient places, stating that the Provincial Government intend to apply or use the water as aforesaid, and that claims for compensation may be made before him. A copy of sections 31 and 32 shall be annexed to every such notice.	
		Section 38 ..	All claims for compensation under this Act, other than claims of the nature; provided for in sections 34 and 35, must be made before the Collector of the district in which such claim arises.	
		Section 39 ..	The Collector shall inquire into every such claim and determine the amount of compensation, if any, which should in his opinion be given to the claimant ; and section 11, 12, 14, 15, 18 to 23 (inclusive) 26 to 40 (inclusive) 51 and 58 of the Land Acquisition Act, 1870, shall apply to such inquiries: Provided that instead of the last clause of the said section 26, the following shall be read :— "The provisions of this section and of sections 31 and 40 of the Sind Irrigation Act, 1879, shall be read to every assessor in a language which he understands before he gives his opinion as to the amount of compensation to be awarded ".	
		Section 59 ..	Subject to such rules as may from time to time be prescribed under section 70 in this behalf, the Collector shall prepare a list of the persons liable to be required to assist as aforesaid, and may from time to time and to or alter such list or any part thereof.	
		Section 60 ..	All orders made under section 58 shall be immediately reported to the Collector for the information of the Revenue Commissioner and likewise to the Chief Engineer for Irrigation for the information of the Provincial Government.	
		Section 63 ..	Whenever any person is convicted under either of the last two preceding sections, the convicting Magistrate may order that he shall remove the obstruction or repair the damage in respect of which the conviction is held within a period to be fixed in such order. If such person neglects or refuses to obey such order within the period so fixed, any Canal Officer duly empowered in this behalf may remove such obstruction or repair such damage, and the cost of such removal or repair, as certified by the said officer, shall be leviable from such person by the Collector as an arrear of land revenue.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS.
1	2	3	4	5
162—*contd.*	The Sind Irrigation Act, 1879—*contd.*	Section 67 ..	Every order passed by a Canal Officer under section 13, 18, 25, 30, 45, 46 and 48 shall be appealable to the Collector : Provided that the appeal be presented within sixty days of the date on which the order appealed against was communicated to the appellant. All orders and proceedings of a Collector under this Act shall be subject to the supervision and control of the Revenue Commissioner.	
		Section 73 ..	(2) After the publication of such notification in the official Gazette it shall also be published by the Collector as soon as practicable in the language of the distrct at the Mukhtiarkar's office of the taluka in which the work is situated and in every town and village which in the opinion of the Collector is likely to be affected by such notification.	
		Section 74 ..	When a notification has been issued under sub-section (3) of section 73, the Collector shall publish in the language of the district at the Mukhtiarkar's Office of the taluka in which the work is situated, and in every town and village which in his opinion is likely to be affected by such declaration, a proclamation— (*a*) specifying, as nearly as possible, the source of supply situation and limits of the second class irrigation work notified under sub-section (3) of section 73 ; (*b*) stating that this Part applies to the work so notified from the date of the notification published under sub-section (3) of section 73; and (*c*) fixing a period of not less than three months from the date of such proclamation and requiring every person claiming any right in the work so notified either to present to the Collector within such period a written notice specifying or to appear before him and state, the nature of such right.	

			Provided that any private transfer or delivery of or encumberance or charge on the property made or created after the issue of the certificate of the the Registrar, Liquidator or Assistant Registrar, as the case may be, under section 59 shall be null and void as against the said society.	
		Section 59-E ..	(6) Any person who shall disobey any order made under sub-section (4) prohibiting the removal of any crop or produce pending the execution of the order or distrain, after the same has been published or served upon him, or who shall, within the meaning of the Pakistan Penal Code, abet the disobedience of any such order, shall be liable, on conviction after a summary enquiry by the Collector, to a fine not exceeding double the amount due to the society for the recovery of which it is proposed to make distraint. Such fine shall be recovered as an arrear of land revenue.	
		Sectión 59-F ..	(1) If the application is admitted under the last foregoing section and an order for distraining any crop or produce is made, the Registrar shall send to the Collector for execution a copy of the order, together with such particulars as may be prescribed by rules. (2) Upon receipt of a copy of the order referred to in sub-section (1), the Collector shall depute an officer to distrain the crop or produce specified therein or such portion thereof as the Collector thinks fit and the officer so deputed shall at once proceed to the place where the crop or produce is or is kept, and distrain the same by taking charge of it himself or by planting it in charge of some other person appointed by him in this behalf. The distraining officer shall publish a notification of the distraint in the manner prescribed by rules.	
		Section 59-H ..	(1) Subject to such conditions as the Collector may impose in this behalf either in the order of distraint or in any subsequent order, the defaulter may tend, reap, gather or store the crop or produce and do any other act necessary for maturing or preserving it; and if the defaulter fails to do all or any of them, shall be recoverable from the defaulter as if they were included in the costs of distraint.	
		Section 59-N ..	(2) Any deficiency of price which may happen on a resale by reason of the purchaser's default, and all expenses attending such resale, shall be certified to the Collector by the officer holding the sale and shall at the instance of the society of the defaulter be recoverable from the defaulting purchaser as if they were an arrear of land revenue.	
		Section 59-R ..	(1) If at any time after a distraint has been made under this Chapter and before the sale of the distrained property the defaulter or any other person deposits with the Collector or with the distraining officer the demand amount together with the such costs as may have been incurred after the notice of demand, the order of distraint shall not be executed.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
167—*contd.*	The Sind Co-operative Societies Act, 1925—*contd.*	Section 59-R—*concld.*	(2) When the distraining officer received the deposit he shall forthwith remit it to the Collector. (3) After the expiration of one month from the date on which the deposit is made under sub-section (1), the Collector shall pay to the society which applied for distraint the amount due to it: Provided that, if, before the expiry of the said period, the Collector receives notice of any suit in which the legality of the distraint order is questioned or compensation is claimed for illegal distrain, he shall withhold payment to the society and shall deal with the money in accordance with such decree or order as may be passed in the suit.	
		Section 59-T ..	No appeal shall lie against an order made by the Registrar or the Collector under this Chapter; but a person whose property is distrained on an application made under section 59-C may institute a suit against the applicant for recovery of compensation if such an application is not competent under that section.	
168	The Sind Non-Agriculturist Loans Act, 1928.	Section 5 ..	All loans granted or deemed to have been granted under this Act, to gether with all interest (if any) chargeable thereon, and costs (if any) incurred in making or recovering the same shall be recoverable at the discretion of the Collector in any one or more of the following modes, namely:— (*a*) from the borrower, as if they were arrears of land revenue due by him; (*b*) from his surety (if any) as if they were arrears of land revenue due by him; (*c*) out of the assets left by a deceased borrower or surety or out of the property comprised in the collateral security (if any) according	

			(*b*) a lease or a mortgage for a period not exceeding ten years, except where the occupancy of the land is granted on the condition, among others, that the occupant shall personally cultivate the land covered by the grant or where the grant is described as a harap grant in the sanad prepared under section 6.	
163	The Sind Land Revenue Code Amendment Act, 1901.	Section 5 ..	Any assessment of land revenue heretofore fixed by the Collector which expressly purports or may be reasonably held to have been intended to have been fixed under section 52 shall be valid and deemed to have been fixed under that section as amended by the foregoing section of this Act, and the amounts due according to such assessment shall, until duly revised or altered continue to be levied.	
164	The Mukhtiarkars Courts Act, 1906.	Section 6 ..	The Collector may, after due notice to the parties, by order in writing transfer any suit from any Mukhtiarkar's Court in his district to any other Mukhtiarkar's Court in his district and the Mukhtiarkar's Court to which the suit is so transferred shall thereupon exercise jurisdiction in such suit; but any order issued to village Officers under section 21 shall be issued by the Mukhtiarkar to whom such village officers are subordinate.	
		Section 23 ..	(1) There shall be no appeal from any order passed by a Mukhtiarkar under this Act. (2) But the Collector may call for and examine the record of any suit under this Act, and if he considers that any proceeding finding or order in such suit is illegal or improper, may, after due notice to the parties, pass such order thereon, not inconsistent with this Act, as he thinks fit. (3) Where the Collector takes any proceedings under this act he shall be deemed to be a Court under this Act.	
165	The Sind Town Planning Act, 1915.	Section 28 ..	Any sum due to the local authority under this Act which is not paid on the day when it becomes due shall be recovered by the Collector, according to law and under the rules for the time being in force for the recovery of arrears of land revenue, on application being made to him by the local authority.	
		Section 45-B (5) ..	Within one month of the date of publication of the draft variation, any person affected thereby may communicate in writing any objection to such variation to the Provincial Government through the Collector and the Revenue Commissioner.	
166	The Opium (Amendment) Act, 1923.	Section 20 (C) ..	When anything has been seized by an officer*** authorised under section 20, or been sent to him under section 20-A, such officer, after such enquiry as may be necessary, shall— (*b*) if it appears that it is liable to confiscation but it is not required as evidence as aforesaid, send it with a full report of the particulars of the seizure to the Collector.	

Serial No.	Act/Regulations	Section	Nature and extent of powers	Remarks.
1	2	3	4	5
167	The Sind Co-operative Societies Act, 1925.	Section 59 (*b*) ..	Every order passed by a liquidator under section 50, or by the Registrar under section 50-A, or by the Registrar or his nominee or arbitrators on disputes referred to him or them under clause (*g*) of section 50 or under section 54 or under sub-section (3) of section 54-A, every order passed in appeal, under section 56, every order passed by the Provincial Government in appeal against orders under sections 50, 50-A, 54 or sub-section (3) of sections 54-A, every order passed under section 64-A shall, if not carried out, be executed according to the law and under the rules for the time being in force for the recovery of arrears of land revenue, provided that any application for the recovery in such manner of any such sum shall be made to the Collector and shall be accompanied by a certificate signed by the Registrar or by an Assistant Registrar to whom the said power has been delegated by the Registrar.	
		Section 59-A ..	(1) When in execution of an order sought to be executed under section 59, any property cannot be sold for want of buyers, if such property is in the occupancy of the defaulter or of some person on his behalf or of some person claiming under a title created by the defaulter subsequently to the issue of the certificate of the Registrar, Liquidator or Assistant Registrar under clause (*a*) or (*b*) of sub-section (1), the Court or the Collector, as the case may be, may, with the previous consent of the Registrar, direct that the said property or any portion thereof shall be transferred to the Society which has applied for the execution of the said order and that the said property or the portion shall be delivered to the society in the prescribed manner. (2) Subject to such rules as may be made in this behalf and to any rights, encumbrances, charges or equities lawfully subsisting in favour of any other person, such property or portion thereof shall be held by the said society on such terms and conditions as may be agreed upon between the Court or the Collector, as the case may be, and the said society;	

		Section 14 (2) ..	Every such officer shall, in the conduct of such investigaton exercise the powers conferred by the Code of Criminal Procedure, 1898, upon an officer incharge of a police station for the investigation of a cognizable offence : Provided that if such officer is of opinion that there is not sufficient evidence or reasonable ground of suspicion to justify the forwarding of an accused to a Magistrate, or that the person arrested may be discharged with a warning, such officer shall release him on his executing a bond, with or without sureties, to appear if and when so required before a Magistrate and shall make a full report of the case to the Collector and be guided by the order which he shall receive on such report.	
		Section 16 ..	When anything has been seized by an officer exercising power under sec. 14, such officer, after such inquiry as may be necessary— (*b*) if it appear that such thing is liable to confiscation but is not required ass evidence as aforesaid, shall send the thing with report of the particulars of the seizure to the Collector; (*c*) if no offence appears to have been committed, shall return the thing to the person from whose possession it was taken and shall report to the Collector accordingly.	
		Section 18 (2) ..	When an offence under this Act has been committed and the ffender is not known, or cannot be found, or when anything liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for, the Collector may enquire into and decide the case, and may order confiscation: Provided that no such order shall be made before the expiration of one month from the date of seizure or without hearing the person, if any, who may claim any right thereto and the evidence, if any, which he produces in support of his claim.	
		Section 19 (1) ..	The Collector may accept from any person who has committed an offence punishable under this Act, by way of composition of such offence, a sum of money not execeeding five hundred rupees or a sum double the amount of the tax payable under section 3 in respect of any sale conducted by such person, whichever is greater.	
		Section 19 (2) ..	On the payment of such sum of money to the Collector, the accused person shall be discharged, the property seized, if any, shall be released and no further proceedings shall be taken against such person or property in respect of such offence.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
171—*contd.*	The Sind Sales of Motor Spirit Taxation Act, 1939—*concld.*	Section 21 (1) ..	No Magistrate shall take cognizance of any offence punishable under this Act— (*i*) except upon the complaint or report of the Collector, the officer empowered under section 14, or other prescribed authority, or (*ii*) except upon his own knowledge or suspicion.	
		Section 22 ..	Subject to the general or special orders of the Provincial Government, the Collector may delegate any of the powers conferred upon him by or under this Act to any officer not below the rank of a Mukhtiarkar.	
		Section 25 (1) ..	Any person aggrieved by any order under this Act, not being an order passed by any Court or Magistrate, may appeal— (*a*) to the Revenue Commissioner or to such officer as the Provincial Government may appoint in this behalf, if such order is passed by a Collector, and (*b*) to the Collector, if such order is passed by any officer other than the Collector.	
172	The Sind Deti Leti Act, 1939	Section 11 ..	Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898)— (*a*) no court other than that of a District Magistrate shall take cognizance of any offence under this Act.	
		Section 12 (1) ..	If in the opinion of the District Magistrate taking cognisance of an offence under this Act, there is sufficient ground for proceeding with the complaint, he shall refer it for inquiry to a tribunal consisting of seven persons who shall be Hindus and of whom one shall be a servant of the State exercising powers of a First Class Magistrate.	

			to the procedure for the realization of land revenue by the sale of a defaulter's movable or immovable property other than the land on which that revenue is due;	
			(*d*) if the loan is for the benefit of a house out of such house, as if it were arrears of land revenue due in respect of the land on which the house stands.	
169	The Sind Weights and Measures Act, 1932.	Section 8 ..	(1) The secondary standards shall be kept by the Collectors in the Gvernment treasuries at the headquarter towns of their respective districts and at such other town or place within their respective districts as Government may direct.	
		Section 44 ..	No prosecution under this Act shall be instituted except by or with the previous sanction of the Collector or any officer specially empowered by him or by Government in this behalf.	
170	The Sind Nurses, Midwives and Health Visitors Registration Act, 1939.	Section 27 ..	No Court other than a District or an Additional District Magistrate or a Magistrate of the First Class shall take cognizance of or try any offence under this Act.	
171	The Sind Sales of Motor Spirit Taxation Act, 1939.	Section 5 (1) ..	In cases where accounts are kept and maintained and statements submitted in the manner and at the period prescribed under section 10, the tax leviable under section 3 shall be assessed by the Collector on the quantity of sales as disclosed in such accounts and statements.	
		5 (2) ..	In cases where no such accounts are kept and maintained or where no such statements are submitted, or where such accounts or statements are in the opinion of the Collector false or incorrect, the collector shall make the assessment to the best of his judgment.	
		Section 6 (1) ..	Every retail dealer shall, within two months of the date on which this Act comes into force or of his starting business as a retail dealer, obtain a licence from the Collector of the district in which his place of business is situate for carrying on business as a retail dealer.	
		6 (2)	Where a retail dealer has more than one place of business whether in the same town or village, or in different towns or villages, he shall obtain a separate licence in respect of each such place of business.	
		Section 7 (2) ..	The Collector may impose for the grant or renewal of every licence such fee as may be prescribed which shall not exceed—	
			(*a*) rupees two when the application is for the grant of a licence, or for the renewal of a licence and is made before the expiry of the licence;	

Serial No.	Acts/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
171—*contd.*	The Sind Sales of Motor Spirit Taxation Act, 1939—*contd.*	Section 7 (2)—*concld.*	(*b*) rupees ten when the application is for the renewal of a licence and is made after the licence has expired.	
			Explanation—In this section 'year' means the financial year.	
		Section 10 ..	Every retail dealer shall, in respect of each place where he carries on business as a retail dealer, keep and maintain accounts and shall submit to the officer authorised in this behalf by the Collector statements in such form and at such period as may be prescribed.	
		Section 12 (1) ..	Subject to such conditions as may be prescribed, the Collector may suspend or cancel a licence given under section 6—	
			(*a*) if the tax payable under section 3 is not duly paid by the holder of such licence; or	
			(*b*) if there is any breach of any of the conditions subject to which the licence is granted; or	
			(*c*) if the holder of such licence contravenes any of the provisions of section 10.	
		12 (2)	The holder of a licence shall not be entitled to any compensation for its suspension or cancellation under sub-section (1).	
		Section 14 ..	Every officer not below such rank as may be prescribed shall, within the area for which he is appointed, have power to investigate all offences punishable under this Act.	

		Section 12 ..	Such servent of the Crown shall be the Chairman of the tribunal.	
		Section 12 (2)	The District Magistrate shall issue a summon for the attendance of the accused before the tribunal.	
	..	Section 16 ..	On completion of the inquiry, the tribunal shall record a finding, with their reasons therefor, whether the accused is guilty or not guilty and submit to the District Magistrate such finding with their reasons therefor or the finding recorded under section 14, as the case may be, and the record of the inquiry. Where the finding is that the accused is guilty, the tribunal shall recommend to the District Magistrate the sentence which in its opinion should be passed upon the accused.	
		Section 17 ..	On receipt of the finding recorded by the tribunal, the District Magistrate may— (*a*) remand the case to the tribunal for further inquiry, or (*b*) refer the case to a second tribunal, or (*c*) pass an order convicting or acquitting the accused, as the case may be, in accordance with such finding: Provided that the District Magistrate shall not give effect to a finding if he is clearly of pinion that such finding is perverse.	515
		Section 19 ..	When the accused is a woman and she applies to the District Magistrate that she may appear by an agent the District Magistrate, shall dispense with her personal attendance and permit her to appear in the proceedings by such agent.	
173	The Sind Consumption of Intoxicants Restriction Act,1940.	Section 7 ..	A Commissioner, Collector or any other Abkari Officer duly empowered in this behalf may— (*a*) enter, at any time by day or night, any place in which he has reason to believe that any intoxicant is being consumed or is kept for being consumed contrary to the provisions of this Act ; and (*b*) in case of resistance or obstruction, break open any door and remove any other obstacle to his entry into such place; and (*c*) seize any intoxicant or any material which he has reason to believe to be liable to confiscation under this Act; and (*d*) detain and search and, if he thinks proper, arrest any person whom he has reason to believe to be guilty of any offence under this Act.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
173—*contd.*	The Sind Consumption of Intoxicants Restriction Act, 1940.—*contd.*	Section 8 ..	A Commissioner, Collector or any other Abkari Officer duly empowered in this behalf may— (*a*) seize in any open place any intoxicant or any other thing which he has reason to believe to be liable to confiscation; (*b*) detain and search any person whom he has reason to believe to be guilty of any offence under this Act.	
		Section 10 ..	A Commissioner, Collector or any other Abkari Officer duly empowered in this behalf may arrest without any order from a Magistrate and without any warrant any person who obstructs him in the execution of his duty under this Act or who has escaped from custody in which he has been or is lawfully detained under this Act.	516
		Section 15 ..	A Commissioner, Collector or any other Abkari Officer duly empowered in this behalf, or a Magistrate may issue a warrant— (*a*) for the arrest of any person whom he has reason to believe to have committed an offence against this Act, or (*b*) for the search, whether by day or by night, of any place in which he has reason to believe that any intoxicant is being consumed or is kept for being consumed contrary to the provisions of this Act. All warrants issued under this section shall be executed in accordence with the provisions of the Code of Criminal Procedure, 1898, by a police officer or by an Abkari Officer duly empowered in this behalf.	
		Section 19 ..	When anything has been seized by an Abkari Officer exercising powers under section 16 or has been sent to him under section 17, such officer after such inquiry as may be necessary—	

			(b) it is appears that such thing is liable to confiscation but is not required as evidence as aforesaid, shall send it with a full report of the particulars of seizure to the Collector.	
		Section 21 (2) ..	When an offence under this Act has been committed and the offender is not known or cannot be found, or when anything liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector, who may order confiscation: Provided that no such order shall be made before the expiration of one month from the date of seizing the thing intended to be confiscated, or without hearing the person, if any, claiming any right thereto, and the evidence, if any, which he produces in support of his claim: Provided further that if the thing in question is liable to speedy and natural decay, or if the Collector is of opinion that the sale would be for the benefit of the owner, the Collector may at any time direct it to be sold and the provisions of this subsection shall apply so far as may be to the net proceeds of the sale: Provided further that in the case of anything liable to speedy and natural decay, the Collector may, if the circumstances so require, direct it to be destroyed.	
		Section 21 (3) ..	The Collector may delegate his powers under this section to any Assistant or Deputy Collector, either by name or in virtue of his office.	
		Section 21 (4) ..	An appeal against an order passed under sub-section (2) by an Assistant or Deputy Collector shall lie to the Collector and by a Collector to the Commissioner.	
		Section 23 (1) ..	A Commissioner, Collector or any other Abkari Officer specially empowered by the Provincial Government in this behalf may accept from any person who is reasonably suspected of having committed an offence under section 3, 4 or 5 a sum of money, not exceeding Rs. 200, by way of composition for the offence which may have been committed.	
		Section 23 (2) ..	On the payment by such person of such sum of money to such officer, such person, if in custody, shall be set at liberty and the property seized shall be released and if magisterial proceedings shall have been instituted against such person, the composition shall be held to amount to an acquittal and in no case shall any further proceedings be taken against such person or property with reference to the same facts.	
174	The Sind Agricultural Produce Makets Act, 1940.	Section 2 (2) ..	If a question arises whether any person is or is not a grower for the purpose of this Act, the matter shall be referred to the Collector of the district in which such person permanently resides. An appeal against the order of the Collector shall lie to the Revenue Commissioner.	

Serial No.	Act/Regulation	Section	Nature ond extent of power	REMARKS
1		3	4	5
174	The Sind Agricultural Produce Markets Act, 1940.—*contd.*	Section 25 (1) ..	No offence made punishable by section 22 of section 23 of this Act shall be tried by a court inferior to that of a District Magistrate or a Magistrate of the first class.	
		Section 20 (1) ..	If a debtor defaults in paying any amount due in accordance with the terms of an agreement or an award registered under sub-section (4) of section 14 such amount shall be recoverable by the Collector, in the manner hereinafter indicated, on the application of the creditor made to the Collector within 90 days of the date of default.	
		Section 20 (2) ..	Secured debts shall be recoverable from the property, on which they are secured as if a decree for the amount of such debts had been passed by a civil court and transferred to the Collector for execution under section 68 of the Code of Civil Procedure, 1908.	
		Section 20 (3) ..	Notwithstanding anything contained in any law for the time being in force, unsecured debts shall be recoverable from the property of the debtor: provided that in effecting the recovery the Collector shall proceed in the following order, that is to say, the amount shall be recovered. * * * * * * * thirdly, if the Collector is of opinion that the amount can be raised by leasing on payment of a premium or by mortgaging such agricultural land of the debtor as in the opinion of the Collector, is not required for the support of the debtor and of the members of the family dependent on him, by taking possession of such land and by leading on payment of a premium or mortgaging the whole or any part of such property;	

		Section 20 (4) ..	Where the Collector has, under sub-section (1), (2) and (3) recovered any amount which was payable in accordance with the terms of an agreement or an award he shall proceed to make payments as follows:— (a) he shall in the first instance, apply the sum realised from the sale of any portion of the property referred to in section 19 to the payment of any amount payable under the agreement or award on account of a debt which is secured by a mortgage, lien, charge, pledge or hypothecation of or on such property in order of priority determined in accordance with the provisions of the Transfer of Property Act, 1882, and, if the said sum is insufficient to meet such payments, the amounts which have remained unpaid shall rank equally with unsecured debts; (b) if there is a surplus after the payments have been made under clause (a), the Collector shall apply to the payment of any other amounts payable under the agreement or the award the sum of the surplus and of the proceeds realized from the sale of such portion of any other property of the debtor as will together with the surplus, be sufficient to meet the payment of such amounts; (c) if the sum of the surplus and sale-proceeds referred to in clause (b) is insufficient to meet the payment of secured debts which have been ranked with unsecured debts and secured debts, all such debts shall rank equally between themselves for the purpose of payment; (d) any further surplus remaining after the payments have been made under clauses (a), (b) and (c) shall be paid by the Collector to the debtor.
		Section 20 (5) ..	Where the Collector fails, under sub-section (1), (2) and (3) to recover any part of the amount referred to therein he shall certify that it is irrecoverable by him and thereupon any amount which was payable under part of the amount referred to therein he shall certify that it is irrecoverable by him and thereupon any amount which was payable under such agreement or award but has not been paid shall be recoverable as if a decree of a civil court had then been passed for its payment.
175	The Sind Holy Quran Act, 1940	Section 4 (1) ..	No Court, other than that of a District Magistrate, shall take cognizance of an offence under this Act.
		Section 4 (2) ..	Notwithstanding anything contained in the Code of Criminal Procedure, 1898, no court inferior to that of a Magistrate of the first class shall try an offence under this Act.

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
176	The Sind Zamindars Children Education Act, 1940.	Section 9 ..	The parent of a child and where the child has a separate estate such estate shall be liable for the payment of the school fees and all other charges lawfully incurred under this Act in relation to such child and any amount due from the parent or the estate of the child, under this Act, shall, upon a certificate from the Dired tor be recoverable by any Collector as an arrear of land revenue.	
177	The Sind Debt Conciliation Act, 1941.	Section 21 (1) ..	If a creditor refuses to accept any amount tendered to him by his debtor in accordance with the terms of an agreement or award registered under sub-section (4) of section 14 or if, in any case, the debtor is doubtful as to the person entitled to receive such amount, the debtor may apply to the Collector to deposit such amount with him.	
		Section 22 (1) ..	If it appears to the Collector that the applicant is entitled to make the deposit under section 21, he shall receive such deposit and give a receipt therefor.	
		Section 22 (2) ..	The Collector shall cause a notice of such deposit to be served on every person who, he has reason to believe, claims or is entitled to it and may pay the amount thereof to any person appearing to him to be entitled to it, or may retain it pending the decision of a Civil Court as to the person entitled to it.	
		Section 32 ..	Where in the course of an inquiry into an application made under section 4, a Board finds that there is any sum owing to Government on account of loans advanced under the Agriculturists Loans Act, 1884, or the Land Improvement Loans Act, 1883, or otherwise, or that any sum is due to Co-operative Society, the Board shall report this fact to the Collector or the Registrar of Co-operative Societies, as the case may be.	
178	The Sind Cattle and Fodder Control Act, 1947.	Section 8 (3) ..	The amount awarded under the preceding sub-sections shall be remitted by the court to the District Magistrate who shall pay the amount to the person or persons appearing to him to be entitled thereto;	

			Provided that the District Magistrate shall not pay the amount until the period for preferring an appeal has expired and an appeal has not been preferred, or where an appeal has been preferred, except in accordance with the order of the appellate court.	
179	The Sind Primary Education Act, 1947.	Section 28 ..	If * * * * a municipality fails to make the annual contribution referred to in subsection (3) of section 26, the Collector of the district may make an order directing any person, who for the time being, has custody of any moneys on behalf of the local authority, as its officer, treasurer, banker or otherwise to pay such contribution from such moneys as he may have in his hands or may, from time to time, receive, and such person shall be bound to obey such order. On failure of compliance of such order, the Collector may issue an order confiscating the funds of such local authority to make paymeng of the contributions referred in sub-section (3) of section 26.	
180	The Sind Boll Worm Act, 1947	Section 5 (2) ..	The occupier may within seven days from the service upon him of such notice prefer an appeal to the Collector.	
		Section 5 (3) ..	On receipt of an apeal under sub-section (2) the Collector may extend the time specified in the notice issued under sub-section (1) and shall, after giving the occupier an opportunity of being heard pass such order on the appeal as he thinks fit.	
		Section 5 (4) ..	Every order passed under subsection (3) shall be final.	
		Section 6 (3) ..	Such occupier may prefer an appeal to the Collector within thirty days from the date of the notice of demand: Provided that in the case of an appeal against a notice of demand for costs such appeal shall lie on the following grounds only, that is to say, (*i*) that charges for items other than the cost of labour, material or use of implements have been included therein; (*ii*) that charges for labour, material or use of implements are unduly high; (*iii*) that no notice was served upon the occupier under sub-section (1) section 5.	
		Section 6 (4) ..	On receipt of an appeal under sub-section (3), the Collector shall, after giving the occupier an opportunity of being heard, pass such order thereon as he thinks fit.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
180—*concld.*	The Sind Boll Worn Act, 1947 —*concld.*	Section 7 (2) ..	No Inspecting Officer and no person acting under his orders shall be liable to any prosecution for anything done by him under the provisions of this Act without the previous sanction of the Collector and no such prosecution shall be entertained, if instituted more than six months after the date of the act complained of.	
181	The Sind Rural Credit and Land Transfer Act, 1947.	Section 4 ..	The prohibitions contained in section 3, shall not apply to : (*a*) a permanent alienation of land to which the Collector has given his sanction.	
		Section 5 (1) ..	A permanent alienation of land which is prohibited under section 3 read with section 4 shall not take effect as such to the extent to which it is so prohibited, unless and until sanction is given thereto by the Collector.	
		Section 5 (3) ..	The Collector shall inquire into the circumstances of the alienation and shall have discretion to grant or refuse the sanction in accordance with rules made under this Act.	
		Section 6 ..	When the Collector sanctions a permanent alienation of land, his order shall not be taken to decide or affect any question of title to such land.	
		Section 7 (1) ..	The provisions of this section shall have effect as respect permanent alienations of land, probhibited under section 3 read with section 4, to which the Collector has not given or has refused his sanction.	
		Section 8 (3) ..	A mortgage to which the provisions of sub-section (1) and (2) apply shall, notwithstanding anything contained in the Transfer of Property Act, 1882, or any other law for the time being in force, be made only in one of the following forms:— (*b*) in the form of a simple mortage subject to the condition that if the mortgagor fails to pay the principal money and interest according to his contract the mortgagee may apply to the Collector	

			to place him in possession for such term, not exceeding twenty years, as the Collector may consider to be equitable, the mortgage being treated as a unifructuary mortgage for such term, and for such sum as may be due to the mortgagee on account of the principal money and interest, the interest not exceeding the amount claimable as simple interest at such rate, not exceeding six per cent; and for such period as the Collector thinks reasonable,	
		Section 9 (1) ..	If in the case of mortgage in the form prescribed in clause (*c*) of sub-section (3) of section 8 the mortgagor fails or refuses to pay the rent agreed upon, the Collector shall have power to eject the mortgagor and put the mortgagee in possession. On such ejectment, the mortgage shall take effect as unifructuary mortgage in the form prescribed in clause (*a*) of the said sub section for such term not exceeding twenty years from the date of ejectment and for such sum of money, as the Collector considers to be reasonable.	
		Section 9 (2) ..	The Collector, if he accepts the application of mortgagee under clause (*b*) of sub-section (3), shall have power to eject the mortgagor and, as against the mortgagor, to place the mortgagee in possession.	
		Section 10 (3) ..	The mortgagor may redeem his land at any time during the currency of the mortgagee on payment of the mortgage debt or, in the case of a mortgage in the form prescribed in clause (*a*) or clause (*b*) of that sub-section of such proportion of the mortgage debt as the Collector determine to be equitable;	
		Section 10 (5) ..	If the mortgagor proves to the satisfaction of the Collector that he has paid the mortgage debt or such proportion of the mortgage debt as the Collector has under sub-section (3) determined to be equitable or deposits with the Collector, the amount of such mortgage debt or of such proportion thereof, the redemption of the land shall be deemed to have taken place, and the Collector, shall have power to eject the mortgagee, if in possession, and as against the mortgagee to place the mortgagor in possession.	
		Section 12 ..	Where a landholder— (1) (*b*) makes a mortgage after the commencement of this Act to which section 8 applies, in any manner or form not permitted by or under this Act, the Collector may on his own motion or on the application of an interested party revise and alter the terms of the mortgagee so as to bring it into accordance with such form of mortgage permitted by or under this Act, as the mortgagee appears to him to be equitably entitled to claim, and the provisions of this Act applicable to a mortgage in a form permitted by or under this Act shall apply to such mortgage.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
181—*concld.*	The Sind Rral Credit and Land Transfer Act, 1947 —*concld.*	Section 12 (2) ..	Without prejudice to the operation of section 19, nothing in this section shall apply to a decree obtained on a mortgage before the commencement of proceedings under this section, unless such decree is held by the Collector to be conclusive or fraudulent.	
		Section 15 ..	If a mortgagee, lessee or a farmer holding possession under a mortgage made under section 8 or under a lease of farm made under section 13 remains in possession afrer the expiry of term for which he is entitled to hold under his mortgage, lease or farm, the Collector may, of his own motion, or shall, on the application of the person entitled to possession, eject such mortgagee, lessee or farmer, and place the person so entitled in possession.	
		Section 19 (5) ..	The execution of a decree in which a Court has ordered the sale of any land shall be transferred to the Collector and such transfer shall be deemed to have been made under the provisions of section 68 of the Code of Civil Procedure, 1908. The provisions of the said Code and of the rules made thereunder shall apply to such a decree as if it was transferred under section 68 of the said Code. Provided that the Collector shall not sell any land of the judgment-debtor unless he is satisfied that the amount of the decree cannot be realised by mortgaging or leasing the land.	
		Section 21 (1) ..	Where, by reason of any transaction which under this Act, requires the sanction of a Collector, a person claims to have acquired a right the acquisition whereof he is bound to report under section 135-E of the Code, such person shall, in making his report, state whether the sanction required has been obtained or not, and his right so acquired shall not be entered in the record of rights or any village form recording occupancies until he prodcuces such evidence of the order by which such sanction is given as may be required by any rule made under this Act.	
		Section 24 (1) ..	Notwithstanding anything contained in the Code of Civil Procedure, 1908, or in any other enactment for the time being in force, every civil court which passes a decree or order involved (*a*) the permanent alienation or (*b*) the mortgagee of land by a landholder shall send to the Collector a copy of such decree or order.	

		Section 24 (2) ..	When it appears to the Collector that any civil court has passed a decree or order in respect of any alienation of land made after the commencement of this Act contrary to any of the provisions of this Act, the Collector may apply for the revision of such decree or order to the Court, if any, to which an appeal would lie from such decree or order, or in which an appeal could have been instituted at the time when the decree or order was passed, or in any other case to the High Court, and if the Court finds that that such decree or order is contrary to any of the provisions of this Act, it shall alter it so as to make it consistent with this Act. Such application shall be made within two months of the date on which the Collector is informed of such decree or order.	
		Section 24 (3) ..	When any such appellate court, not being the High Court, passes an order rejecting such application, the Collector may within three months of the date of the receipt of a copy of the order apply to the High Court for revision thereof.	
		Section 24 (4) ..	Every civil court which passes an order on any application made under this section shall forth with send a copy thereof to the Collector.	
182	The Sind Home Guards Act, 1948.	Section 4 (1) ..	The District Magistrate of the District concerned may, subject to the provisions of the next succeeding section appoint as members of the Home Guards such number of persons, who are fit and willing to serve, as may from time to time be determined by the Provincial Government.	
		Section 4 (2) ..	The District Magistrate may, for reasons to be recorded by him in writing discharge a member of the Home Guards.	
		Section 9 (2) ..	No proceedings shall be instituted under sub-section (1) without the previous sanction of the District Magistrate concerned.	
183	The Sind Adult Act, 1950 ..	Section 10 (3) ..	No adult liable to attend a literacy school under sub-section (1) shall shift from the area of compulsion, except with the previous permission in writing of the District Magistrate.	
		Section 13 (1) ..	Any adult or parent against whom an order has been passed under section 12 and who fails to attend or cause his ward to attend a literacy school on and after the date specified in such order, shall, if he resides in a town or village where there is a magistrate, on conviction by such magistrate, and, if he resides elsewhere, on conviction by a revenue officer or other persons empowered in this behalf by the District Magistrate be punishable with simple imprısonment for a term not exceeding 14 days or with fine not exceeding Rs. 50 and if such failure continues after such conviction, he shall also on conviction by such magistrate, officer or person be liable to a fine of one rupee for ever day that the failure continues or is repeated without a reasonable cause.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
183—*concld.*	The Sind Adult Act, 1960 —*concld.*	Section 17 ..	Any person who has been required to attend a literacy School under section 16 and who fails to comply with the order without a reasonable excuse shall on conviction by a District Magistrate be punishable with fine not exceeding rupees one hundred and if the failure continues after such conviction he shall also on conviction by the District Magistrate be liable to a fine of rupees five for every day that the failure continues or it repeated.	
184	The Sind Tenancy Act, 1950 ..	Section 30 (1) ..	The Collector may within thirty days of an order made by the Assistant or the Deputy Collector in appeal under section 30, call for the record of such appeal for the purpose of satisfying himself as to the legality or propriety of any decision or order made thereon, and as to the regularity of the proceedings held therein.	
		Section 30 (2) ..	If in any case it shall appear to the Collector that any decision on such appeal should be modified, annulled or reversed, he may pass such order thereon as he deems fit.	
		Section 31 (2) ..	An order made by the Assistant or Deputy Collector in appeal and section 30 shall not take effect— (*b*) where the Collector has called for the record of the case, until the collector makes an order in the matter.	
		Section 32 ..	An order made by the Collector under section 31, and, sujbject to the provisions of that section, an award of the Tribunal or the order of the Assistant or Deputy Collector shall be final and shall not be called in question in any court.	
		Section 33 ..	An award of the tribunal an order of the Assistant or Deputy Collector under section 30 and an order of the Collector under section 31 shall be enforceable as a decreee of a Civil Court.	
185	The Sind Frontier Regulations (Repeal) Act, 1952.	Section 4 (1) ..	All proceedings relating to civil disputes under section 5 of the Sind Frontier Regulation, 1892, pending before the Council of Elders or the District Magistrate, as the case may be, on the date of the commencement of this Act shall terminate and the District Magistrate shall refer the parties to to civil courts.	

		Sections 5 ..	(1) All Criminal proceedings pending before the Council of Elders or the District Magistfate, as the case may be, on the commencement of this Act, shall be transferred by the District Magistrate to— (*i*) the Court of Session if the proceedings relate to a person accused of an offence who, before reference of his case to the Council of Elders under the Regulations, was being tried in that Court;	
186	The Sind Borstal Schools Act, 1955.	Section 8 ..	The powers conferred on Courts by this Act shall be exercised only by the Chief Court, a Court of Session, a District Magistrate, a Sub-Divisional Magistrate, a alaried Magistrate of the First Class and may be exercised by such Courts whether the case comes before them originally, or on appeal, or in revision.	
		Section 9 (1) ..	When any Magistrate not empowered to pass an order for detention under this Act is of the opinion that an offender who has been found guilty by him or who has failed to furnish the security which the Magistrate has ordered him to furnish under Chapter VIII of the Code is a proper person to be detained in a Borstal School, he may, without passing any order, record such opinion and submit his proceedings and forward the offender to the Distirict Magistrate, to whom he is subordinate.	
		Section 9 (2) ..	The District Magistrate to whom the proceedings are so substituted may transfer the proceedings to any Magistrate subordinate to him competent to pass an order under this Act.	
		Section 9 (3) ..	The District Magistrate to whom the proceedings are so submitted or any Magistrate to whom the proceedings are so transferred may make such further enquiry (if any) as he may think fit and may pass such order for the detention of the offender in a Borstal School, or such other sentences or order, as he might have passed if such offender had originally been brought before or tried by him. money or food or gift for a purpose authorised by any law or authorised in the prescribed manner by the District Magistrate or by the Provincial Government.	
187	The Sind Children Act, 1955 ..	Section 35 (6) ..	Where any such direction is not complied with, the District Magistrate may, on the complaint of any person appointed for the purpose by the Provincial Government cause a summons to be served upon the person in charge of the voluntary home and upon such other person as he may think fit and upon hearing the person summoned, may if he thinks fit, make an order for the removal of all or any sepecified number of children from the voluntary home.	

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Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
187—*concld.*	The Sind Children Act, 1955 —*concld.*	Section 38 (1) ..	(1) A probation Officer in the performance of his duties under this Act shall be an officer of the court, and shall be under the supervision and guidance of the juvenile court, where such court exists and elsewhere of the District Magistrate of the district in which the court which passes any order under this Act in respect of the child is situated.	
		Section 38 (2) ..	Nothing in this section shall derogate from the powers of supervision of the District Magistrate and the Chief Inspector of Certified School.	
		Section 41 ..	When any magistrate not empowered to exercise the powers of a juvenile court is of opinion that a person brought before him is a child, he shall record such opinion and submit the proceedings and forward the child to the nearest juvenile court having jurisdiction in the case or where such court does not exist, to the District Magistrate or Sub-Divisional Magistrate to whom he is subordinate.	
		Section 80 ..	Any court by which a person is convicted of having committed an offence in respect of a child, or before which a person is brought for trial for any such offence or by which a person is bound over to keep the peace towards a child, shall direct that the child against whom the offence has been committed, or in relation to the alleged offence against whom the trial is in progress, or in relation to keeping the peace towards whom the person concerned has been bound over, shall be produced before juvenile court with a view to that court making such interim and final orders as may be proper provided that in an area where no juvenile court has been established, the court shall submit its proceedings and forward the child to the District Magistrate or Sub-Divisional Magistrate to whom it is subordinate.	
		Section 94 (2) ..	If a final order is passed— (*a*) by a juvenile court, an appeal shall lie to the District Magistrate; (*b*) by a Magistrate empowered under section 8 to exercise the powers of a juvenile court, an appeal shall lie to the court of Session.	

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			(*iii*) Baluchistan Code
188	Bengal Regulation XI of 1812	Section 3 ..	Whenever any body of emigrants, or any individuals belonging to such body, shall be ordered to be removed from the part of the conntry which they have been established, they shall be allowed dispose of any property which he may have acquired in such manner as they may judge proper : Provided, however, that, if they shall nevertheless retain the right to real property at the period of their actual removal, it shall be competent to the Central Government to order such property to be sold by public auction under the superintendence of the Collector of the district. In that case the nett proceeds of the sale shall be duly paid to the person or persons to whom the said property belonged.
189	The Bengal Regulation III of 1818.	Section 9 ..	Whenever the Provincial Government for the reasons declared in the preamble to this Regulation, shall judge it necessary to attach the estates or lands of any zamindars, jagirdar, taluqdar or other person, without any previous decision of a Court of justice, or other judicial proceeding, the grounds on which the Resolution of Government may have been adopted, and such other information connected with the case as may appear essential, shall be communicated to the Judge and Magistrate of the district in which the lands or estates may be situated and to the Sadar Diawani Adalat and Nizamat Adalat.
190	The Punjab Land Revenue Act, 1887.	Section 2 (1) ..	The Board of Revenue or Commissioner or Collector may be written order distribute, in such manner as he thinks fit, any business cognizable by any Revenue Officer under his control.
		Section 12 (2) ..	The Board of Revenue or Commissioner or Collector may withdraw any case pending before any Revenue Officer under his control, and either dispose of it himself, or by written order refer it for disposal to any other Revenue Officer under his control.
		Section 12 (3) ..	An order under sub-section (1) or sub-secsion (2) shall not empower any officer to exercise any powers or deal with any business which he would not be competent to exercise order with within the local limits of his own jurisdiction.
		Section 13 ..	Save as otherwise provided by this Act, an appeal shall lie from an original or appellate order of a Revenue Officer as follows, namely :— (*a*) to the Collector when the order is made by an Assistant Collector of either grade ;

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
190	The Punjab Land Revenue Act 1887—*contd.*	Section 13—*concld.* ..	(*b*) to the Commissioner when the order is made by a Collector ; Provided that :— (*i*) when an original order is confirmed on first appeal, a further appeal shall not lie. (*ii*) when any such order is modified or reversed on appeal by the Collector, the orders made by the Commissioner on further appeal if any, to him shall be final.	
		Section 14 ..	Save as otherwise provided by this Act, the period of limitation for an appeal under the last foregoing section shall run from the date of the order appealed against, and shall be as follows, that is to say :— (*a*) when the appeal lies to the Collectorthirty days ;	
		Section 15 (1) ..	A Revenue Officer may either of his own motion or on the application of any party interested, review, and on so reviewing modify, reverse or confirm, any order passed by himself or by any of his predecessors in office : Provided as follows :— (*a*) an order passed by his predecessor in office shall not be reviewed by the— (*ii*) Collector without first obtaining the sanction of the Commissioner. and no order shall be reviewed by nay other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject.	

			(b) an application for review of an order shall not be entertained unless it is made within ninety days from the passing of the order, or unless the applicant satisfies the Revenue Officer that he had sufficient cause for not making the application within that periods; (c) an order shall not be modified or reversed unless reasonable notice has been given to the parties affected thereby to appear and be heard in support of the order; (d) an order against wdich on appeal has been preferred shall not be reviewed. (2) For the purposes of this section, the Collector shall be deemed to be the sucessor in office of any Revenue Officer of a lower class who has left the district or has ceased to exercise powers as a Revenue Officer, and to whom there is no successor in office. (3) An appeal shall not lie from an order refusing to review or confirming on review a previous order.	
		Section 16 (2) ..	A Commissioner or Collector may call for the record of any case pending before, or disposed of by any Revenue Officer under his control.	
		Section 16 (3) ..	If in any cose in which a Collector has called for a record he is of opinion that the proceedings taken or order made should be modified or reversed, he shall report the case with his opinion thereon for the orders of the Commissioner.	
		Section 27 (1) ..	The Provincial Government may be notificosion confer on any person— (a) all or any of the powers of the Board of Revenue, Commissioner or Collector under this Act, or (b) all or any of the powers with which an Assistant Collector may be invested thereunder, and may be notification withdraw any powers so conferred.	
		Section 27 (2) ..	A person on whom powers are conferred under sub-section (1) shall exercise those powers within such local limits and in such classes of cases as the Provincial Government may direct, and, except as otherwise directed by the Provincial Government, shall for all purposes connected with the exercise thereof be deemed to be the Board of Revenue, Commissioner, Collector or Assistant Collector, as the case may be.	

Serial No.	ct/Regu	Section	Nature and extent of power	REMARKS
1	2	3	4	5
19.)	The Punjab Land Revenue Act 1887—*contd.*	Section 27 (3) ..	If any of the powers of a Collector under this Act are conferred on an Assistant Collector, they shall, unless the Provincial Government by special order otherwise directs be exercised by him subject to the control of the collector.	
		Section 33 (1) ..	The Collector shall cause to be prepared by the patwari of each estate a record of the areas surveyed and the areas sown at each harvest, and the same shall be maintained in accordance with the provisions of this chapter.	
		Section 33 (2) ..	Such record shall be called the crop inspection record for the estate, and there shall be entered therein particulars as to the landlords, tenants and assignees of land revenue in the estate, and of the areas sown with crops, whether matured or failed, in each field number in the estate.	
		Section 33 (3) ..	For the purposes of the preparation of the crop inspection record in estates for which no record-of-rights, has been prepared under section 31, the patwari shall make a rough measurement of the areas under each crop in accordance with such rules as the board of Revenue may prescribe.	
		Section 33 (4) .	An application unde sub-section (1) shall be accompanied by a copy of the plaint prop sed to be filed in the suit, and if the Collector does not grant permission t institute the suit, he shall refer the matter of Council of Elders in the manner provided in sub-section (1) of section 8 of the Frontier Crimes Regulation, 1901, and the provisions of sections 8, 9 and 10 of that Regulation shall, so far as may be, apply to such reference .	
		Section 39 ..	Any person neglecting to make the report required by section 34 within three months from the date of his acquisition of a right referred to in that section shall be liable, at the discretion of the Collector, to a fine not exceeding five times the amount of the fee which would have been payable according to the scale fixed under the last foregoing section if the acquisition of the right had been reported immediately after his accural.	

		Section 45 (1) ..	If any person considers himself aggrieved as to any right of which he is in possession by an entry in a record-of-right or in an annual record, he may apply to the Collector for permission to institute a suit for a declaration of his right under Chapter VI of the Specific Relief Act, 1877.	
		Section 45 (2) ..	An application under sub-section (1) shall be accompanied by a copy of the plaint proposed to be filled in the suit, and if the Collector does not grant permission to institute the suit, he shall refer the matter to a Council of Elders in the manner provided in sub-section (1) of section 8 of the Frontier Crimes Regulations, 1901, and the provisions of sections 8, 9 and 10 of that Regulation shall, so far as may be, apply to such reference.	
		Section 55 (2) ..	When the Revenue Officer receives a notice under sub-section (1) the Collector may take possession of the estate and deal with it, as nearly, as may be as if the annulment of the assessment thereof and been ordered as a process for the recovery of an arrear of Land Revenue due thereon.	
		Section 56 (2) ..	The Collector may for sufficient reason make an order revising that record at any time while the assessment continues to be in force, and publish the record so revised.	
		Section 62 (2) ..	Without the previous consent of the Collector, the rents, profits or produce of an estate or holding shall not be liable to be taken in execution of a decree or order of any Court until the land revenue chargeable against the rents, profirs or produce, and any arrear of land revenue due in respect of the estate of holding, have been paid.	
		Section 64 (3)	A suit for an arrear of assigned land revenue shall not be entertained unless there is annexed to the plaint at the time of the presentation thereof a document under the hand of the Collector specially authorising the institution of the suit.	
		Section 69 (2) ..	When the defaulter is brought before the Revenue Officer, the Revenue Officer may cause him to be taken before the Collector, or may keep him under personal restraint for a period not exceeding ten days and then of the arrear is still unpaid, cause him to be taken before the Collector.	
		Section 69 (3) ..	When the defaulter is brought before the Collector the Collector may issue an order to the officer in charge of the civil jail of the distrit, directing him to confine the defaulter in the jail for such period, not exceeding one month from the date of the order, as the Collector thinks fit.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
190	The Punjab Land Revenue Act, 1887—*contd.*	Section 70(2) ..	The distress and sale shall be conducted, as nearly as may be, in accorddance with the law for the time being in force or the attachment and sale of movable property under the decree of a Revenue Court constituted under the Punjab Tenancy Act, 1887: Provided that, in oddition to the particulars exempted by that law from liability to take, so much of the produce of the land of the defaulter as the Collector thinks necessary for seed-grain and for the subsistence, until the harvest next following, of the defaulter and his family, and of any cattle exempted by that law, shall be exempted from sale under this section.	
		Section 70 (1)	At any time after an arrear of land revenue has accrued on a holding, the Collector may transfer the holding to any person being a landlowner of the estate in which the holding is situate and not being a defaulter in respect of his own holding, on condition of his paying the arrear before being put in possession of the holding and on such further conditions as the Collector may be see fit to prescribe.	
		Section 71 (2) ..	The Collector may, as the Collector thinks fit, be either till the end of the agricultural year in which the defaulter pays to the transferee the amount of the arrear which the transferee paid before being put in possession of the holding or for a term not exceeding fifteen years from the commeneement of the agricultural year next following the date of the transfer.	
		Section 70 (3) ..	The Collector shall report to the Commissioner any transfer made by him under this section and the Commissioner may set aside the transfer or alter the conditions thereof, or pass such other order as he thinks fit.	
		Section 71 (4) ..	A transfer under this section shall not affect the joint and several liability of the landowners of the estate in which it is enforced.	

		Section 71 (5) ..	In respect of all rights and liabilities arising under the Act the person to whom the holding is transferred shall, subject to the conditions of the transfer, stand in the same position as that in which the defaulter would have stood if the holding had not been transferred.	
		Section 71 (6) ..	When the transfer was for a term, the holding shall, on the expiration of the term, be restored by the Collector to the defaulter free of any claim on the part of the Government or the transferee for any arrear of land revenue or rates and cesses due in respect thereof.	
		Section 72 (1) ..	At any time after an arrear of land revenue has accrued, the Collector may cause the estate or holding in respect of which the arrear is due to be attached and taken under his own management or that of an agent appointed by him for that purpose.	
		Section 72 (2) ..	The Collector or the agent shall be bound by all the engagements which existed between the defaulter and his tenants, if any, and shall be entitled to manage the land and to receive all rents and profits accuring therefrom to the exclusion of the defaulter until the arrear has been satisfied or until the Collector restores the land to the defaulter.	
		Section 72 (3) ..	All surplus profits of the land attached beyond the cost of attachment and management and the amount necessary to meet the current demand for land revenue and rates and cesses shall be applied in discharge of the arrear.	
		Section 72 (4) ..	Land shall not be attached for the some arrear for a longer term than five years from the commencement the agricultural year next following the date of the attachment, but if the arrear is sooner dicharged the land shall be released and the surplus receipts, if any, made over the land owner.	
		Section 73 (1) ..	When an arrear of land revenue has been due for a longer period than one month and the foregoing processes are not deemed sufficient for the recovery thereof, the Commissioner may, in addition to or instead of all or any of those processes, order the existing assessment or the estate or holding in respect of which the arrear is due to be annulled.	
		Section 73 (3) ..	When the assessment of any land has been annulled, the Collector, may, with the previous sanction of the Commissioner either manage the land himself or through an agent, or let it in farm to any person willing to accept the farm, for such term and on such conditions as may be sanctioned by the Commissioner:	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
190	The Punjab Land Revenue Act, 1887—*concld.*	Section 73 (3)—*concld.*	Provided that the term for which land may be so managed or farmed shall not be longer than fifteen years from the commencement of the cultural year next following the date of the annulment.	
		Section 73 (4) ..	At some time before the expiration of that term, the Collector shall determent the assessment to be paid in respect of the estate or holding for the remainder of the term of the current assessment of the district or tahsil, and when that assessment has been sanctioned by the Commissio ner shall ammounce it to the landowner.	
		Section 73 (5) ..	The landowner may give notice to the Collector of refusal to be liable or for the assessment within thirty days from the date on which the assessment was announced to him.	
		Section 73 (6) ..	If notice is so given, the Collector, may with the previous sanction of the Commissioner take the estate or holding under direct management, or of form it for the remainder of the term of the current assessment of the district or tahsil, for for any period within that term which the Commissioner may fix.	
		Section 73 (8) ..	The Commissioner may direct that any contract made by the defaulter or by any person through whom the defaulter claims, with respect to any land comprised in an estate or holding of which the assessment has been annulled shall not be binding on the Collector or his agent or farmer during the period for which the estate of holding remains under the management of the Collector or his agent or is let in farm.	
		Section 74 (1) ..	When any land is attached under section 72, or when the assessment of any land has been annulled under the last foregoing section, the Collector shall make proclamation thereof.	
		Section 74 (2) ..	No payment made by any person to the defaulter before the making of the proclamation on account of rent or any other asset in anticipation of the usual time for the payment shall without the spcial sanction of the Collector, be credited to that person or relieve him from liability to make the payment to the Collector or his agent or farmer.	

		Section 74 (3) ..	No payment made after the making of the proclamation on account of rent or any other asset of the estate or holding to nay person other than the Collector or his agent or farmer shall be credited to the person making the payment or relieve him from liability to make the payment to the Collector or his agent of farmer.	
		Section 75 ..	When an arrear of land revenue has accured and the foregoing processes are not deemed sufficient for the recovery thereof, the Collector, with the previous sanction of the Commissioner may, in addition to, or instead of, all or any of those processes, and subject to the provisions herein after contained, sell the estate or holding in respect of which the arrear is due: Provided that land shall not be sold for the recovery of— (a) any arrear which has accrued while the land was under the charge of the Court of Wards might have exercised jurisdiction over it under the provisions of Chapter II of the Punjab Court of Wards Act 1903 ; or (b) any arrear which has accrued while the land was under attachment under section 72 of this Act ; or (c) any arrear which was accrued while the land was held under direct management by the Collector or in farm by any other person, under section 73, after either an annulment of assessment or a refusal to be liable therefor.	
		Section 77 (1) ..	If the arrear cannot be recovered by any of the processes hereinbefore provided, or if the Commissioner considers the enforcement of any of those processes to inexpeditent, the Collector may, where the defaulter owns any other estate or holding, or any other immoveable property, proceed under the provisions of this Act against that property as if it were the land in respect of which the arrear is due : Provided that no interests save those of the defaulter alone shall be so proceeded against, and no incumbrances created, grants made or contracts entered into by him in good faith shall be rendered invalid by reason only of his interests being proceeded against.	
		Section 77 (2) ..	When the Collector determines to proceed under this section against immoveable property other than the land in respect of which the arrear is due, he shall issue a proclamation prohibiting the transfer or charging of the property.	
		Section 77 (3) ..	The Collector may any time by order in writing withdraws the proclamation, and it shall be deemed to be withdrawn when either the arrear has been paid or the interests of the defaulter in the property have been sold for the irecovery of the arrear.	

Serial No.	Act/Regulations	Section	Nature and extent of power	Remarks
1	2	3	4	5
190	The Punjab Land Revenue Act, 1887—*contd.*	Section 77 (5) ..	In proceeding against property under this section the Collector shall follow, as nearly as the nature of the property will admit, the procedure prescribed for the enforcement of process against land on which an arrear of land revenue is due.	
		Section 78 (1) ..	Nothwithstanding anything in section 66, when proceedings are taken under this Act for the recovery of an arrear, the person against whom the proceedings af taken may, if he denies his liability for the arrear or any part thereof and pays the same under protest made in writing at the time of payment and signed by him or his agent, institute a suit in a civil court for the recovery of the amount so paid.	
		Section 78 (2) ..	A suit under sub-section (1) must be instituted in a Court having jurisdiction in the place where the Office of the Collector of the district in which the arrear of some part thereof accured is situate.	
		Section 79 (1) ..	On the receipt of the sanction of the Commissioner to the sale of any immoveable property, the Collector shall issue a proclamation of the intended sale, specifying— (a) the date, time and place of the sale ; (b) the property to be sold, and, if it is an estate or holding, the land revenue assessed thereon or payable in respect thereof : (c) if the property is to be sold for the recovery of an arrear due in respect thereof, the incumbrances, grants, contracts and rights of occupancy, if any, specially saved by order of the Commissioner under section 76, sub-section (2) clause (c) ; (d) if the property is to be sold otherwise than for the recovery of an arrear due in respect thereof, any incumbrance, grant or contract to which the property is known to be liable; and (e) the amount for the recovery of which the sale is ordered.	

		Section 79 (3)	The place of sale specified under clause (a) of sub-section (1) must be either the office of the Collector or some place appointed by the Collector in this behalf and situate in or near the property to be sold.	
		Section 81 (2) ..	After a copy of the proclamation has been served on the defaulter and posted in the Office of the Tahsildar a copy thereof shall be posted in the office of the Collector.	
		Section 81 (3) ..	The proclamation shall be further published in manner prescribed in section 22 and in such other manner as the Collector thinks expedient.	
		Section 82 (2) ..	The sale shall be by public auction, and shall be conducted either by the Collector in person or by a Revenue office specially appointed by him in this behalf.	
		Section 83 ..	The Collector may from time to time postpone the sale.	
		Section 86 ..	If the person who made the highest bid fails to pay the deposit as required by the last foregoing section, the property shall forthwith be put up again and sold and all expenses attending the first sale and the deficiency of price, if any, which may happen on the re-sale, may be recovered from him by the Collector as if the same were an arrear of land revenue.	
		Section 89 ..	In default of payment of the full amount of the purchase-money within the period mentioned in the last foregoing section, the deposit referred to in section 85 or section 87, as the case may be, shall, after defraying the expenses of the sale, be forefeited to the Government and may, if the Collector with the previous sanction of the Commissioner, so directs, be applied in reduction of the arrear and the property shall be re-sold and the defaulting purchaser shall have no claim to the property or to any part of of the sum for which it may subsequently be sold.	
		Section 90 ..	Every sale of immoveable property under this Chapter shall be reported by the Collector to the Commissioner.	
		Section 95 (1) ..	After the sale has been confirmed in manner aforesaid, the Collector shall put the person declared to be the purchaser into possession of the property sold and shall grant him a certificate to the effect that he has purchased that property.	
		Section 95 (2) ..	The certificate shall state whether or not the property was sold for the recovery of an arrear due in respect thereof and if it was so sold, shall forthe the incumbrances, grants, contracts and rights of occupancy, if any, specified in the proclamation of the scale as specially saved by order of the Commissioner under section 76, subsection (2) clause (c)	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	5	5
190	The Punjab Land Revenue Act, 1887—*contd.*	Section 95 (3) ..	The certificate shall be deemed to be a valid transfer of the property, but need not be registered as a conveyance. Every such boundary line shall be fixed with due regard to the history of the estates and the interest of the persons respectively owing them or possessing rights therein, in such manner as may be just and equitable in the circumstances of each case.	
		Section 95 (4) ..	No sucboundary line shall be deemed to have been permanently fixed until it has been approved by the Commissioner.	
		Section 101B (1) ..	Every boundary line fixed in accordance with provisions of section 101A shall, notwithstanding any law or custom, or any decree or order of any Court of law, to the contrary, be the fixed and constant boundary between the estates affected thereby and the proprietary and all other rights in every holding, field or other portion of an estate situate on each side of the boundary line so fixed, shall subject to the following proviso, vest in the landowners of the estate which lies on that side of the boundary line on which such holding, field or other portion of an estate is situate: Provided that, if, by the operation of this section, the proprietary or any other rights in any land which at the time a boundary line is fixed is under cultivation or reasonably fit for cultivation or yields any produce of substantial value would be transferred from the landowners and other rightholders of any one estate to the landowners of any other estate, the Collector shall be written order direct that the rights in such land shall, subject to the provisions of section 101-C and section 101-D, not be so transferred unless and until the land, in respect of which any such order is made ceases to be reasonably fit for cultivation, or to yield any produce of substantial value and upon any such order being made the transfer of the rights in such land shall be susended accordingly: Provided further that when any portion of the land specified in any such order ceases to be reasonably fit for cultivation or to yield any produce of substantial value, the order shall, when the Collector, in writing, so directs, ceases to operate as to that portion.	

No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
		Section 101 B (2) ..	The decision of the Collector as to whether, for the purpose of the proviso to sub-section (1) of this section, any land is or is not reasonably fit for cultivation, or does or does not yield any produce of substantial value, shall be final.	
		Section 101C (1) ..	When any order has been made under the proviso to sub-section (1) of section 101B the landowners for any of them in whom, but for such order, the rights in the land specified therein, would vest, may apply, in writing, to the Collector to forthwith transfer the rights, the transfer of which has been suspended by such order, upon payment of compensation for the same.	
		Section 101C (2)	When an application under sub-section (1) is made, the Collector shall— (*a*) fix a day for the hearing of the application; (*b*) cause notice of the application and of the day fixed for the hearing thereof, to be served on, or proclaimed for the information of all persons recorded as having rights in the land specified in the order made under the proviso to sub-section (1) of section 101-B and all other persons interested or claiming to be interested therein; (*c*) upon the day so fixed for hearing, or any day to which the hearing may be adjourned, inquire into the rights in the land and award compensation in respect of all rights found estabished therein to the persons severally entitled thereto; (*d*) inform the applicant of the aggregate amount of compensation so awarded and require him to deposit the amount with the Collector on or before a day to be fixed by him in that behalf; Provided that, notwithstanding anything in this sub-section contained, it shall be lawful for the collector in his discretion and at any time before an award of compensation thereon has been made, to reject any application made under sub-section (1).	
		Section 101-C (3) ..	In awarding compensation under sub-section (2), the Collector shall be guided by the provision of section 23 and section 24 of the Land Acquisition Act 1894, so far as the same may be applicable to the circumstances of the case.	

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No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
190	The Punjab Land Revenue Act, 1887—*contd.*	Section 101-C (4) ..	Upon the fifteenth day of May next after the whole amount of compensation so awarded has been deposited with the Collector, the order made under the proviso to sub-section (1) of section 101-B shall cease to operate and the rights specified therein shall be transferred and vest in the manner prescribed in sub section (1) of section 101-B, notwithstanding anything in the proviso thereof contained and the Collector shall proceed to tender the compensation to the persons severally entitled to receive the same under his award. If any such person shall refuse to accept the sum so awarded and tendered to him, it shall be placed to his credit in the public treasury.	
		Section 101-C (5) ..	When any order made under the proviso to sub-section (1) of section 101-B shall under the provisions of sub-section (4) of this section, cease to operate and determine, all rights reserved to any person by such order, shall be extinguished.	
		Section 101-(1) ..	For the purpose of sections 101-A, 101-B and 101-C, repectively the expression "Collector" shall be deemed to include any Revenue Officer appointed by the Provincial Government to perform all or any of the functions of a Collector under any of the provisions thereof.	
		Section 103 (2) ..	Where the Revenue Officer causes a survey-mark to be erected or repaired, he shall, subject to any rules or direction under the last foregoing section, apportion the cost among the persons interested in the land in such manner as he deems just and certify the same to the Collector.	
		Section 103 (3) ..	The Collector may recovery the cost as if it were an arrear of land revenue.	
		Section 117 (2) ..	Where the Revenue Officer declines under sub-section (1) to grant an application for partition, he shall report the circumstances to the Collector who may either:—	

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			(a) refer the applicant to the Civil Court for a determination of the question, or (b) direct the Revenue Officer to determine the question, or (c) refer the question to a Council of Elders in the manner provided in sub-section (1) of section 8 of the Frontier Crimes Regulation, 1901 and the provisions of sections 8, 9 and 10 of that Regulation shall so far as may be, apply to such references.	
		Section 127 (2) ..	A Collector or any Assistant Collector of the first grade may, without the consent of the parties, refer to arbitration any dispute before him with respect to:— (a) any matter of which an entry is to be made in any record or register under Chapter IV; (b) any matter relating to the distribution of an assessment under section 56; (c) the limits of any estate or of any holding, field or other portion of an estate; or (d) the property to be divided at a partition or the mode of making a partition.	
		Section 141 ..	Orders issued by any Civil or Criminal Court for the attachment, sale or delivery of any land or interest in land, or for the attachment or sale of the produce of any land, shall be addressed to the Collector or such Revenue Officer as the Collector may appoint in this behalf and be executed by the Collector or that officer in accordance with the provisions of the law applicable to the Court, issuing the orders and with any rules consistent there with made by the Board of Revenue with the concurrence of the Chief Court and the previous sanction of the Provincial Government.	
		Section 142 (1) ..	Notwithstanding anything in any other enactment for the time being inforce, an order issued by any Court for the attachment of essigned land revenue shall require the person by whom the revenue is payable to pay it to the Collector and the Collector to hold it subject to the further orders of the Court. (2) BALUCHISTAN CODES	
		Section 142 (2) ..	A payment to the Collector under sub-section (1) shall be an effectual discharge to the person making it.	
		Section 144 (2) ..	Nothwithstanding anything contained in the Code of Criminal Procedure, 1898 in respect of an offence under sub-section (1):— (a) a prosecution shall not be instituted except on the complaint of the Collector; and (b) a Revenue officer may arrest without warrant.	

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Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
				5
			BALUCHISTAN CODE—CONTD.	
190	The Punjab Land Revenue Act, 1887—*contd.*	Section 147 (3) ..	If a landowner bound by an agreement under that sub-section to render public service in lieu of paying land revenue fails to render the service to the satisfaction of the Collector, the Collector may determine the portion of the land revenue remitted which is represented by the service in respect of which the landowner is in default and with the previous sanction of the Commissioner, recover that portion as if it were an arrear of land revenue due in respect of the land for the land revenue whereof the service was substituted.	
		Section 148 (2) ..	That share may be recovered by the Collector by deduction of the amount thereof from the land revenue due to the assignee.	
191	The Baluchistan Forest Regulation, 1890.	Section 3 (3) ..	The Deputy Commissioner shall, before that date, cause a translation of the notification in the language of the country to be published in the town and villages in the neighbourhood of the land and in any other villages of which the residents have been accustomed to graze their flocks in or in the vicinity of, the land.	
		Section 18 ..	Cattle trespassing in a State forest shall be deemed to be cattle doing damage to the public plantation within the meaning of section 11 of the Cattle-trespass Act, 1871 and may be seized and impounded as such by any Forest Officer or Police Officer specially authorised in this behalf by the Deputy Commissioner: Provided that it shall be optional with the Forest Officer to proceed against the owner of such cattle under section 7 of this Regulation.	
192	The Frontier Crime Regulation, 1901.	Section 2 ..	In this regulation, unless there is anything repugnant in the subject or context:— (b) "Deputy Commissioner" includes any Magistrate of the first class appointed by the Deputy Commissioner by order in writing to exercise all or any of the functions or powers specified in the first part of the first schedule, and also any Magistrate appointed by the Provincial Government to exercise all or any of such functions or powers.	

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		Section 4 (3) ..	When exercising any of the powers of a Deputy Commissioner under this Regulation, an Additional District Magistrate shall be deemed, for the purpose of this Regulation, to be the Deputy Commissioner.	
		Section 4 (4) ..	Every Additional District Magistrate shall exercise his powers in subordination to the District Magistrate and in such cases or classes of cases and within such local limits as the District Magistrate may, by order in writing, direct.	
		Section 5 (1) ..	The District Magistrate may withdraw any case from, or recall any case which he has made over to, an Additional District Magistrate, whether the Additional District Magistrate is exercising jurisdiction with respect to the case as a Magistrate or as a Deputy Commissioner.	
		Section 5 (2) ..	If the case may, under the Code of Criminal Procedure, 1898 be referred to another Magistrate competent to inquire into or try it, the District Magistrate may instead of disposing of the case himself, refer it to such other Magistrate for inquiry or trial as the case may be.	
		Section (2) ..	The order of reference made under sub-section (1) shall state the matter or matters on which the finding of the Council of Elders is required.	
		Section 5 (3) ..	On receipt of the finding of the Council of Elders under this section, the Deputy Commissioner may:— (*a*) remand the case to the Council for a further finding; or (*b*) refer the case to a second Council; or (*c*) refer the parties to the Civil Court; or (*d*) pass a decree in accordance with the finding of the Council or of not less than three fourths of the members thereof, on any matter stated in the reference; or (*e*) declare that further proceedings under this section are not required.	
		Section 9 ..	A decree passed under section 8, sub-section (3), clause (*d*) shall not give effect to any finding or part of a finding which, in the opinion of the Deputy Commissioner, is contrary to good conscience or public policy, but shall:— (*a*) be a final settlement of the case so far as the decree relates to any matter stated in the reference, although matters therein stated may remain undisposed of ; and (*b*) have, to that extent and subject to the provisions of this Regulation with respect to revision, the same effect as a decree of a Civil Court or ultimate resort and be enforced by the Deputy Commissioner in the same manner as a decree of such a Court may enforced.	

Serial No.	Act/Regulation	Section	Nature ond extent of power	Remarks
			BALUCHISTAN CODE—contd.	
192	The Frontier Crimes Regulation, 1901.	Section 10 ..	No Civil Court shall take cognizance of any claim with respect to which the Deputy Commissioner has proceeded under section 8, sub-section (3), clause (*a*), clause (*b*) or clause (*d*).	
		Section 11 ..	Where in the opinion of the Commissioner or Deputy Commissioner it is in expedient that the question of the guilt or innocence of any person or persons accused of any offence, or of any of several persons so accused, should be tried by a Court of any of the classes mentioned in section 6 of the Code of Criminal Procedure, 1898, the Deputy Commissioner, may, or if the Commissioner so directs, shall by order in writing, refer the question to the decision of Council of Elders, and require the Conncil to come to a finding on the question after such inquiry as may be necessary and after hearing the accused person.	
		Section 11 (2) ..	Where a reference to a Council of Elders is made under sub-section (1), the names of the members shall, as soon as may be, be commnnicated to the accused person, and any objection which he may then make to any such member shall be recorded. The Deputy Commissioner shall consider every objection made by an accused person under this sub-section and may, in his discretion, either accept or reject the objection; provided that, in the latter case, he shall record his reasons for so doing.	
		Section 11 (3) ..	On receipt of the finding of the Council of Elders under this section the Deputy Commissioner may— (*a*) remand the question to the Council for a further finding; or (*b*) refer the question to a second council; or (*c*) acquit or discharge the accused person or persons, or any of them ; or (*d*) in accordance with the finding on any matter of fact of the Council, or of not less than three-fourths of the members thereof, convict the accused person or persons, or any of them, of any offence of which the facts so found show him or them to be guilty:	

	..			Provided that a person discharged under clause (c) shall not be liable to be retired for any offence arising out of the same facts after the expiry of two years from the date of such discharge.
	..	Section 12 (1) ..	Where the Dputy Commissioner convicts a person under section 11 sub-section (3) clause (*d*) he may pass upon him any sentence of fine.	
		Section 12 (2) ..	Where the Deputy Commissioner so convicts a person of an offence mentioned in the *second schedule,* he may, whatever may be the punishment prescribed for the offence, sentence the person, in lieu of or in addition to fine, to be imprisoned for a term which may extend to seven years, or, subject to the provisions of section 393 of the Code of Criminal Procedure, 1898, to be whipped, or to be whipped and imprisoned for a term which may extend to five years, or to be transported for a term which may extend to seven years and, where he so convicts a person of an offence punishable with transportation or with imprisonment for a term exceeding seven years, he may, subject to confirmation by the Commissioner, sentence the person to a term either of transportation or of imprisonment exceeding seven years but not exceeding fourteen years: Provided, first, that sentence of whipping shall not be passed on any person so convicted of an offence under section 121, 121A, 122, 123, 123A, 124A, 125, 126, 127, 144, 150, 216, 216A, 400, 401, 402, 494 or 495 of the Pakistan Penal Code: Provided, secondly, that a sentence of transportation or imprisonment for an offence shall not be for a longer term than that (if any) prescribed for the offence ; and Provided, thirtly, that a sentence of transportation shall not be passed for an offence which is not punishable with transportation or with imprisonment for a term which may extend to seven years or more.	
		Section 13(1) ..	Any sentence passed under section 12 shall be executed in the manner provided for the execution of sentences passed by a Court of any of classes mentioned in section 6 of the Code of Criminal Procedure, 1898.	
		Section 13(2) ..	For the purposes of sections 64 to 67 of the Pakistan Penal Code in reference to a sentence under section 12 of this Regulation— (*a*) an offence punishable with death or transportation for life shall be deemed to be punishable with rigorous impriosnment for a term which may extend to ten years ; and (*b*) the imprisonment in default of payment of fine may be rigorous or simple at the discretion of the Deputy Commissioner.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
			BALUCHISTAN CODE—*contd,*	
192—*contd.*	The Frontier Crimes Regulation, 1901—*contd.*	Section 14 ..	The powers conferred by section II on the Commissioner and Deputy Commissioner, respectively may be exercised by them, in case committed to the Court of Session, at any time before the trial before that Court has commenced, and, in cases pending before any Court inferior to the Court of Session, at any time before an order of conviction or acquital has been made.	
		Section 15(1) ..	In any trial before a Court of Session, the Public Prosecutor may, when instructed in writing in that behalf by the Commissioner or Deputy Commissioner, at any time before conviction or acquital has been made with respect to any accused person, withdraw from the prosecution of such person in order that the case may be referred to a Council of Elders.	
		Section 15(2) ..	The Sessions Judge shall thereupon stay proceedings with respect to such person, and the Deputy Commissioner shall refer the case to a Council of Elders.	
		Section 17 ..	The Deputy Commissioner may, if he thinks fit, at any time reconsider and set aside any order of the Deputy Commissioner under this Regulation— (*a*) directing a reference to a Council of Elders, or (*b*) refusing to make such a reference.	
		Section 18(1) ..	Where a Council of Elders, to which a reference has been made under this Regulation, makes any recommendation to which effect might be given if it were a finding on a matter or question referred to the Council under this Regulation, the Deputy Commissioner may, if the recommendation affects a person mentioned in the order of reference and is relevant to the matter or question actually referred, deal with the recommendation or any part of it as if it were a finding under section 8 or section II : Provided that no decree or sentence may be passed on any such recommendation as aforesaid against any person who has not had the claim or charge fully explained to him and been given an apportunity of entering upon his defence in regard thereto.	

		Section	Nature and extent of powers	Remarks
		Section 18(2) ..	Where the Deputy Commissioner deals with a recommendation under sub-section (1), he may pass any such decree as is authorized by section 8, or any such sentence as is authorized by section 12, sub-section (1), and the decree or sentence shall have the same effect and be enforced in the same manner as if it were a decree or sentence passed under section 8 or section 12, sub-section (1), as the case may be.	
		Section 19(1) ..	Where the Deputy Commissioner passes, under this Chapter a sentence of fine exceeding two hundred rupees, or of imprisonment for a term exceeding three months, or of transportation, he shall make a record of the facts of the case, of the offence committed and of his reason for passing the sentence.	
		Section 19(2) ..	The record shall be made by the Deputy Commissioner in English and in his own hand, unless for any sufficient reason he is prevented from so making it, in which case he shall record the reason of his inability and shall cause the record to be made from his dictation in open court.	
		Section 20 ..	Where a reference is made to a Council of Elders under this Chapter, the Deputy Commissioner may exercise all or any of the powers conferred by the Code of Civil Procedure and the Code of Criminal Procedure, 1898 respectively, as the case may be, for the purpose of compelling the attendence, before himself or the Council of Elders, of the parties and witnesses, or any of them, in any case and at any stage of the precedings.	
		Section 21 ..	In the event of any frontier tribe, or of any section or members of such tribe, acting in a hostile or unfriendly manner towards the Pakistan Government or towards persons residing within Pakistan the Deputy Commissioner may, with the previous sanction of the Commissioner, by order in writing, direct— (*a*) the seizure, wherever they may be found, of all or any of the members of such tribe and of all or any property belonging to them or any of them ; (*b*) the detention in safe custody of any peron or property so seized ; and (*c*) the confiscation of any such property; any may, with the like sanction, by public proclamation,— (*d*) debar all or any members of the tribe from all access into Pakistan; and (*e*) prohibit all or any persons within the limits of British India from all intercourse or communication of any kind whatsoever, or of any specified kind or kinds, with such tribe or any section or members thereof.	

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Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
192—*contd.*	The Frontier Crimes Regulation 1901—*contd.*	Section 22 ..	BALUCHISTAN CODE—*contd.* Where, from the circumstances of any case, there appears to be good reasons to believe that the inhabitants of any village, or part of a village, or any of them, have— (*a*) connived at, or in any way abetted the commission of an offence, or (*b*) failed to render all assistance in their power to discover the offenders or to effect their arrest; or (*c*) connived at the escape of, or harboured, any offender or person suspected of having taken part in the commission of an offence; or (*d*) combined to suppress material evidence of the commission of an offence ; the Deputy Commissioner may, with the previous sanction of the Commissioner, impose a fine on the inhabitants of such village or part of a village, or any of them, as a whole.	
		Section 26 ..	Where it is shown to the satisfaction of the Deputy Commissioner, that any person who is in the enjoyment of an assignment or remission of land revenue or allowance payable out of public funds, has been guilty of a serious offence, or has colluded with or harboured any criminal, or has suppressed material evidence of the commission of any offence, or has failed, on the investigation of any criminal case, to render loyal and proper assistance to the authorities to the best of his ability, the Deputy Commissioner may, in addition to any other penalty to which such person may be liable under any law for the time being in force, direct the foreiture, in whole or in part and for a term or in perpetuity of such assignment or remission of land revenue or allowance, as the case may be. *Explanation*—For the purposes of this section the expression "serious offence" means any offence punishable with transportation or with imprisonment for a term which may extend to three years or more.	

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		Section 27 ..	Forfeiture under section 25 or section 26 may be adjudged by order of the Deputy Commissioner for a term which may extend to three years, and by order of the Commissioner for any longer term or in perpetuity.	
		Section 33(1) ..	No building of the kind commonly known as a "hujra" or "chauk" and no building intended to be used as a "hujra" or "chauk" shall be erected or built, and no existing building not now used as a "hujra" or "chauk" shall at any time be used as such, without the previous sanction in writing of the Deputy Commissioner.	
		Section 33(2) ..	Whoever contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.	
		Section 34(1) ..	Where the Deputy Commissioner is satisfied that any building is habitually used as a meeting place by robbers, house-breakers, thieves or bad characters or for the purpose of gambling, he may by order in writing, prohibit the owner or occupier thereof from so using such building, and if the order is not obeyed, may, by a like order, direct that the building be demolished. Such further order shall be without prejudice to any punishment to which the owner or occupier of such building may, under any law for the time being in force, be liable for disobedience of the prohibitory order.	
		Section 35(1) ..	Where, in the opinion of the Deputy Commissioner, the custom of providing for Watch and Ward by what are commonly known as "naubati chaukidars" exists in the case of any village-community, and the village-community or any part thereof fails to provide for the due performance of such service, or any member of the village-community, fails to perform his duty of watch and ward according to the customary rotation in respect of such duties, the Deputy Commissioner may impose a fine, which may extend to one hundred rupees in any one case, upon the village-community or part or member thereof so failing as aforesaid.	
		Section 35 (3) ..	Where such custom as aforesaid has not existed or has fallen into disuse in any village-community, the Deputy Commissioner may, with the previous sanction of the Commissioner, by order in writing, direct its introduction or revival, as the case may be; and thereupon the provision of sub-section (1) shall apply in respect of the village-community.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			BALUCHISTAN CODE—CONTD.	
192—*contd,*	The Frontier Crimes Regulation, 1901—*contd.*	Section 36 ..	Where, in the opinion of the Deputy Commissioner, any person :— (*a*) is a dangerous fanatic ; or (*b*) belongs to a frontier tribe and has no ostensible means of subsistence or cannot give a satisfactory account of himself ; or (*c*) has a blood-feud; or (*d*) has occasioned cause of quarrel likely to lead to bloodshed ; the Deputy Commissioner may, by order in writing, require him to reside beyond the limits of the territories to which this Regulation extends or at such place within the said territories as man be specified in the order ; Provided that, if the person has a fixed habitation in the place which the Deputy Commissioner requires him to leave, an order under this section shall not be made without the previous sanction of the Commissioner.	
		Section 40(1) ..	Where the Commissioner or the Deputy Commissioner is of opinion that it is necessary, for the purpose of preventing murder or culpable homicide not amounting to murder, or dissemination of sedition, to require a person to execute a bond for good behaviour or for keeping the peace, as the case may be, he may order the person to execute a bond, with or without sureties, for his good behaviour or for keeping the peace, as the case may be, during such period, not exceeding three years as the Commissioner or the Deputy Commissioner, as the case may be, may fix.	
		Section 40(2) ..	The Deputy Commissioner may make an order under sub-section (1)— (*a*) on the recommendation of a Council of Elders, or (*b*) after inquiry as hereinafter provided.	

		Section 40(3) ..	Where a person has been convicted in accordance with the finding of a Council of Elders of an offence mentioned in section 106 of the Code of Criminal Procedure, 1898 punishable under section 302, section 304, section 307 or section 308 of the Pakistan Penal Code, the Deputy Commissioner at the time of passing sentence, or the Commissioner at the time of revising the sensence, may make an order under sub-section (1) with respect to that person.	
		Section 40 (4) ..	Where the Deputy Commissioner makes an order under sub-section (1) on the recommendation of a Council of Elders, he shall record the reasons for acting on the recommendation.	
		Section 40(5) ..	Where the Commissioner or the Deputy Commissioner is of opinion that sufficient grounds exist for making an order under sub-section (1) he may, either in lieu of or in addition to such order, by order in writing, direct that the person concerned shall notify his residence and any change of residence in the manner prescribed by section 565 of the Code of Criminal Procedure, 1898, during such term, not exceeding three years, may be specified in the order.	
		Section 41 ..	Where a blood-feud or other cause of qarrel likely to lead to bloodshed exists, or, in the opinion of the Deputy Commissioner, is likely to arise between two families or factions, the Deputy Commissioner may, on the recommendation of a Council of Elders or after inquiry as hereinafter provided, order all or any of the members of both families or faction or of either family, or faction to execute a bond, , with or without sureties, for their good behaviour or for keeping the peace, as the case may be, during such period, not exceeding three years, as he may fix.	
		Section 42 (2) ..	Sections 112, 113, 115 and 117 of the Code of Criminal Procedure, 1898, shall not apply to an inquiry under this section, but the Deputy Commissioner shall record his order with the reasons for making it.	
		Section 43(3) ..	If, while a bond executed under section 41 is in force, the life of any member of either family or faction is unlawfully taken or attempted, the Deputy Commissioner may declare the bond of all or any of the members of the other family or faction and their sureties (if any) to be forfeited, unless it is shown to his satisfaction that the homicide or attempt was not committed by, or in consequence of the abetment of, any member of that family or faction.	
		Section 46(1) ..	Where a person has, under the provisions of this Chapter, given security or been imprisoned for failure to give security he may be brought before the Deputy Commissioner, if on the expiry of the period for which security was required to be given, the Deputy Commissioner so directs.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
			BALUCHISTAN CODE—*contd.*	
19 —*ontd.*	The Frontier Crimes Regulation, 01—*contd*	Section 46 (2) ..	Where the Deputy Commissioner thinks it necessary, for the purpose of preventing bloodshed, to require security for a further period from any person so brought before him, he shall record a proce eding to that effect.	
		Section 46 (3) ..	The proceeding may be founded on the facts on which the original order to give security was founded, and it shall not be necessary to prove any fresh facts to justify an order to give security for a further period under this section; but such an order, if passed, shall have the same effect and be enforced in the same manner as an original order to give security under section 40 or section 41.	
		Section (4) ..	Notwithstanding anything in this section, no person shall suffer, for failure to give security under this Chapter, continuous imprisonment for more than six years, or, without the sanction of the Commissioner for more than three years.	
		Section 55 ..	Every order made by the Commissioner in exercise of his revisional jurisdiction shall be enforced as if it were an order of the Deputy Commissioner or District Magistrate, as the case may be, and the Deputy Commissioner or District Magistrate shall do all acts and things necessary to give effect thereto.	
		Section 56 ..	Where, by a decree passed under section 8 or by a sentence passed under section 12, any person belonging to a frontier tribe becomes liable to pay a fine or other sum of money, the Deputy Commissioner may, on the recommendation of a Council of Elders and on satisfying himself that such a course is in accordance with local tribal custom, by order in writing direct that the amount shall be recovered from the property, movable or immovable, of such of the relatives or fellow tribesmen of the person so liable as may be speccified in the order.	

		Section 57(1) ..	The Deputy Commissioner may make such order as he thinks fit for the disposal of the proceeds of any fine imposed under section 12, section 18 or section 22, and, subject to any order made by the Commissioner under Chapter, VI, the proceeds shall be disposed of accordingly.	
		Section 58 ..	Registers shall be kept up, in forms to be approved by the Provincial Government, of all cases dealt with by the Deputy Commissioner and by the Commissioner under this Regulation.	
		Schedule I ..	THE FIRST SCHEDULE. [*see* SECTION 2, CLAUSE (*b*)] PART I—POWERS AND FUNCTIONS WITH WHICH MAGISTRATES OF THE FIRST CLASS MAY BE INVESTED BY DEPUTY COMMISSIONERS. (*a*) In the case of an additional District Magistrate all or any of the powers and functions of a Deputy Commissioner. (*b*) In any other case, all or any of the following powers, namely :— (*i*) power to make orders of reference to Councils of Elders, under section 8, sub-section (1); (*ii*) power to nominate and appoint the members of the Council when an order of reference to a Council has been made under section 8, sub-section (1); (*iii*) power to nominate the members of the Council when an order of reference to a Council has been made under section 11, sub-section (1); (*iv*) Power to consider and dispose of objections made by an accused person to members so nominated, and to appoint the members of a Council of Elders under section 11, sub-section (2); and (*v*) power to take security under section 40. PART II—POWERS AND FUNCTIONS WITH WHICH MAGISTRATES MAY BE INVESTED BY THE PROVINCIAL GOVERNMENT. (*a*) Power to nominate and appoint the members of a Council of Elders where an order of reference to a Council has been made under section 8, sub-section (1); (*b*) Power to nominate the members of the Council when an order of reference to a Council has been made under section 11, sub-section (1) ; and (*c*) Power to consider and dispose of objections made by an accused person to members so nominated and to appoint the members of a Council of Elders under section 11, sub-section (2).	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
192 *concld.*	The Frontier Crimes Regulation 1901—*contd.*		THE SECOND SCHEDULE (*see* SCETION 12, SUB-SECTION 2) (1) Any offence punishable under any of the following sections of the Pakistan Pendal Code, namely, section 121, 121A, 122, 123, 123A, 124 A, 125, 126, 127, 131, 144, 148, 150, 193, 194, 195, 196, 201, 211, 212, 216, 216A, 302, 304, 307, 308, 324, 325, 326, 328, 254, 363 to 369, 376, 377, 379 to 382, 386, 387, 392 to 399, 400, 401, 402, 411 to 414, 427 to 429, 435, 436, 440, 448 to 460, 494, 495, 497 and 498. (2) Any offence punishable under section 29 or section 30 of this Regulation. (3) Abetment of any of the offences aforesaid. (4) Attempt to commit any of the offences aforesaid, which are not themselves expressed to be attempts to commit offences.	
193	The Frontier Murderous Outrages Regulation, 1901	Section 2(1) ..	Any fanatic who within the meaning of the Pakistan Penal Code commits murder, or does any act with such intention or knowledge, and in such circumstances, that, if he by that act caused death, he would commit murder, shall be punishable with death or with transporatation or imprisonment for life, and all his property shall be forfeited to the Government.	
		Section 22 (2) ..	Notwithstanding anything in section 393 of the Code of Criminal Procedure, 1898, or in any other enactment for the time being in force, where any such fanatic as aforesaid is sentenced to transportation or imprisonment for life, he may also be sentenced to whipping in addition to such transportation or imprisonment.	
		Section 2 ..	Where any fanatic is killed in the act of committing an offence punishable under section 2, or, having been wounded and arrested in the act of committing any such offence afterwards dies of his wounds, the Court which , under the provisions of section 4, would have had cognizance of the offence if the offender could have been brought to trial, may proceed to hold an inquest into the circumstances of the death of the fanatic and	

			on proof of his having been killed as aforesaid or of his having died of wounds received as aforesaid, may adjudge that all his property shall be forfeited to the Government, and may dispose of his body as it may think fit.	
		Section 4 (1) ..	Any offence punishable under section 2 shall be tried by the Sessions Judge or Deputy Commissioner of the district in which it was committed:	
			Provided that the jurisdiction so conferred on the Sessions Judge or Deputy Commissioner may be exercised by any Magistrate of the first class whom the Provincial Government or the Session Judge or Deputy Commissioner to whom such Magistrate is subordinate, may, after, the commission of an offence punishable under section 2, specially invest with such jurisdiction for the purpose of trying such offence.	
			In every trial held under this Regulation the Court shall follow the procedure for the trial of warrant cases by Magistrates prescribed by Chapter XXI of the Code of Criminal Procedure, 1898:	
			Provided that, where the Court is of opinion that any witness or evidence is offered for the purpose of vexation or delay or of defeating the ends of justice, it may require the accused person satisfy it that there are reasonable grounds for believing that such witness or evidence is material, and, where the Court is not so satisfied, it shall not be bound to summon the witness or examine the evidence so offered.	
		Section 5 (1) ..	Every trial held under this Regulation shall be conducted with the aid of two or more assessors as members of the Court.	
		Section 5 (2) ..	The Court may appoint such person, other than persons specified in section 278 of the Code of Criminal Procedure, 1898, at such time and in such manner, as it may think fit, to serve as assessors, and no persons shall be exempt, within the meaning of section 320 of the said Code, from liability to serve as such assessors.	
		Section 5 (3) ..	The provisions of the said Code shall, save as aforesaid, apply to assessors appointed under this section.	
		Section 6 (1) ..	When any trial held under this Regulation is concluded, if the accused person is convicted it shall be sufficient if the Court, in passing judgment and recording the finding and sentence, specify the offence of which he is convicted, and the court shall immediately issue a warrant to the officer-in-charge of the prison in which the prisoner is confined, or to which the Court has, by its judgment or by a subsequent order, directed him to be transferred for this purpose, to cause the sentence to be carried into execution, and the sentence shall be carried into execution accordingly;	

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
193	The Frontier Murderous Outrages Regulatian 1901—*concld.*		Provided that, where a sentence of death is passed, the Court may, from time to time if it seems to it that the public interest so requires, extend the date and fix for the execution of the sentence, and the execution shall be postponed accordingly.	
		Section 6 (2) ..	The Court may, under sub-section (1), direct a prisoner to be transferred for the execution of a sentence passed upon him, und.er this Regulation to any prison in Pakistan whether in territories for the time being administered by the Provincial Government of Baluchistan or not; and nothing in the Prisoners Act, 1900, or in any other enactment for the time being in force shall be deemed to preclude the officer-in-charge of such prison from carrying such sentence into execution.	
		Section 6 (3) ..	Notwithstanding anything in the Code of Criminal Procedure, 1898 or in other enactment for the time being in force, no sentence of death passed under this Regulation shall require confirmation by any Court.	
		Section 7 ..	When sentence of death passed under section 2 has been carried into execution the body of the offender shall be disposed of as the Court by which he was sentenced, shall direct.	
		Section 8 ..	The proceedings in every trial held under this Regulation shall, without unnecessary delay, be reported by the Court to the Provincial Government.	
		Section 10 ..	Where the Court is of opinion that a person charged with an offence punishable under section 2 is not so punishable, but has committed an offence punishable under the Pakistan Penal Code, the accused person shall be dealt with in manner provided in such case by the Code of Criminal Procedure, 1898.	
		Section 13 (3) ..	Where a Magistrate makes in respect of such persons as aforesaid an order in writing as prescribed by section 118 of the said Code, he may direct such person, during the whole or part of the period of the bond:—	

			(a) to reside beyond the limits of the territories to which this Regulation extends , or at such place with in the said limits as may be specified in the order ; and (b) if he is so directed to reside within the said limits, to notify his residence and every change of residence to such authority as may be specified in the order.	
		Section 14(1) ..	Where a fanatic has committed an offence punishable under section 2, the Court may, on the recommendation of a Council of Elders or after such inquiry as it may think necessary, take any of the following measures against any community, section of a community or individual with whom such fanatic is or has been associated in circumstances which satisfy the Court that, by reasonable prudence or deligence on the part of such community, section of a community or individual, the commission or attempted commission of such offence might have been prevented, namely:— (4) FORMER NORTH-WEST FRONTIER PROVINCE ACTS (a) it may impose a fine on such community, section of a community or individual and recover the same as if it were an arrear of land revenue ; or (b) it may direct that such community, section of a community or individual shall forfeit,in whole or in part and for a term or in perpetuity, any assignment or remission of land revenue or allowance payable out of public funds of which it or he may be in enjoyment.	
		Section 14(2) ..	No order made under this section shall take effect until it has been confirmed by the Provincial Government.	
194	The Baluchistan Laws, 1913 ..	Section 18(2)	(2) BALUCHISTAN CODES Where a Revenue Officer declines under sub-section (1) to grant an application for partition, he shall report the circumstances to the Collector who may either— (a) refer the applicant to the Civil Court for a determination of the question , or (b) direct the Revenue Officer to determine the question, or (c) refer the question to a Council of Elders in the manner provided in sub-section (1) of section 8 of the Frontier Crimes Regulation, 1901, and the provisions of sections 8, 9 and 10 of that Regulation shall, so far as may be, apply to such reference.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
			(2) BALUCHISTAN CODES—contd.	
	The Baluchistran Laws, 1913—*contd.*	Section 20 ..	For section 144 the following section shall be substituted, namely:— "144" (1) Where land revenue is payable by appraisement or division of the produce, if a landowner removes or deals with any.	
		Section 33(1) ..	The Collector shall cause to be prepared by the Patwari of each estate a record of the areas surveyed and the areas sown at each harvest, and the same shall be maintained in accordance with the provisions of this Chapter.	
		Section 33(2) ..	Such record shall be called the crop inspection record for the estate, and there shall be entered therein particulars as to the landlords, tenants and assignees of land revenue in the estate, and of areas sown with crops, whether matured or failed, in each field number in the estate.	
		Section 33(3) ..	For the purposes of the preparation of the crop inspection recrod in estates for which no record of right has been prepared under section 31, the patwari shall make a rough measurement of the areas under each crop in accordance with such rules as the Revenue Commissioner may prescribe".	
		Section 45(2) ..	"An application under sub-section (1) shall be accompanied by a copy of the plaint proposed to be filed in the suit, and if the Collector does not grant permission to institute the suit, he shall refer the matter to a Council of Elders in the manner provided in sub-section (1) of section 8 of the Frontier Crimes Regulation, 1901, and the provisions of sections 8, 9 and 10 of that Regulation shall , so far as may be, apply to such reference".	
		Section 70(2) ..	"The distress and sale shall be conducted in accordance with rules made in this behalf by the Revenue Commissioner ; and such rules shall contain provision exempting from liability to sale so much of the produce of the land of the defaulter as the Collector considers necessary for seed grain and for the subsistence until the next harvest of the defaulter and his family and of any of the defaulter's cattle that may be exempted from liability to sale under any of the said rules".	

			(4) FORMER N.-W. F. P. ACTS
195	The Excise Regulation 1915 ..	Section 11(1) ..	Except when otherwise directed by the Excise Commissioner passes for the import, export or transport of excisable articles may be granted by the Collector.
		Section 11(2) ..	Such passes may be either general for definite periods and kinds of excisable articles, or special for specified occassions and particular consignments only.
		Section 16(2) ..	No person shall have in his possession any quantity of any excisable articles in excess of the limit prescribed under sub-section (1) except under the authority and in accordance with the terms and conditions of— (*b*) a permit granted by the Collector in that behalf.
		Section 19 ..	Where a right of manufacturing tari has been leased under section 18, the Provincial Government may declare that the written permission of the lessee to draw tari shall have the same force and effect as a license from the Collector for that purpose.
			BALUCHISTAN CODES
		Section 22(2) ..	No person who is licensed to sell any excisable articles for consumption on his premises shall without the previous permission in writing of the Collector, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any woman in any part of such premises in which such excisable article is consumed by the public.
		Section 22 (3) ..	Every permission granted under sub-section (2) shall be endorsed on the license and may be modified or withdrawn.
		Section 23(1) ..	The District Magistrate by notice in writing to the licensee, may require that any shops in which any excisable article is sold shall be closed at such times or for such period as he may think necessary for the preservation of the public peace.
		Section 30(4) ..	Where a license, permit or pass is cancelled or suspended under clause (a), clause (b), clause (c) or clause (d) of sub-section (1)— (b) the Collector may take the grant under management or resell it, but any profit realized by such management or resale which is not in excess of the amount recovered for such period shall be paid to the *ex*-licensee.
		Section 32(1) ..	Any holder of a license granted under this Regulation to sell an excisable article may surrender his license on the expiration of one month's notice in writing given by him to the Collector of his intention to surrender the same, and on payment of the fee payable for the license and the remainder of the period for which it would have been current but for such surrender.

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			(2) BALUCHISTAN CODE—*contd.*	
195	The Excise Regulation, 1915—*contd.*		Provided that if the Excise Commissioner is satisfied that there is sufficient reason for surrendering a license, he may remit to the holder thereof the sum so payable on surrender or any portion thereof.	
		Section 46(2) ..	When an offence under this Regulation has been commited, but the offender is not known or cannot be found, the case shall be inquired into and determined by the Collector who may order confiscation : Provided that no such order shall be made until the expiration of one month from the date of seizing the thing intended to be confiscated, or without hearing any person who may claim any right thereto, and the evidence (if any) which he may produce in support of his claim: Provided further that if the thing in question is liable to speedy and natural decay, or if the Collector is of opinion that the sale would be for the benefit of its owner, the Collector may at any time direct it to be sold; and the provisions of this sub-section shall, as nearly as may be practicable, apply to the net proceeds of such sale.	
		Section 47(1) ..	The Collector may— (a) accept from any person whose license, permit or pass is liable to be cancelled or suspended under clauses (a) and (b) of sub-section (1) of section 30, or who is reasonably suspected of having committed an offence under section 36, section 37, or section 38, a sum of money not exceeding two hundred rupees in lieu of such cancellation or suspension, or by way of composition for such offence, as the case may be; and (b) in any case in which any property has been seized as liable to confiscation under this Regulation may, at any time before an order of confiscation has been passed by a Magistrate, release the same on payment of the value thereof as estimated by the Collector.	

		Section 47(2)	On the payment of such sum of money or such value, or both as the case may be, to the Collector, the accused person if in custody, shall be discharged, the property seized (if any) shall be released, and no further proceedings shall be taken against such person or property.	
	..	Section 49 ..	Any Excise Officer, who without lawful excuse shall cease or refuse to perform , or shall withdraw himself from the duties of his office, unless expressly allowed to do so in writing by the Collector, or unless he shall have given to his superior officer two months notice in writing of his intention to do so, or who shall be guilty of cowardice, shall, on conviction before a Magistrate, be punished with imprisonment which may extend to three months, or with fine which may extend to five undred rupees or with both.	
		Section 51 ..	The Excise Commissioner or a Collector or any Excise Officer not below such rank as the Provincial Government may by notification prescribe, or any police officer duly empowered in that behalf, may— (a) enter and inspect, at any time by day or by night, any place in which any licensed manufacture manufactures or stores any excisable article; and (b) enter and inspect, at any time within the hours during which sale is permitted and at any other time during which the same may be open, any place in which any excisable article is kept for sale by any person holding a licence under this Regulation ; and (c) examine accounts and registers, and examine, test, measure or weigh any materials, stills, untensils, implements, apparatus or excisable article found in such place.	
		Section 60 ..	No Magistrate of the third class, unless he is specially empowered by the District Magistrate in this behalf, shall take congnizance of, or try, any offence under this Regulation.	
		Section 64(1) ..	The following moneys, namely:— (a) all excise revenue, (b) any loss that may accrue when, in consequence of default a grant has been taken under management by the Collector or has been resold by him, and	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
			Baluchistan Codes—*contd.*	
195	The Excise Regulation 1915 —*concld.*	Section 64 (1)—*contd.*	(c) all amounts due to the Govenrment by any person on account of any contract relating to the Excise-revenue. may be recovered from the person primarily liable to pay the same, or from his surety (if any) by distress and sale of his movable property, or by any other process for the recovery of land revenue due from landholders or from farmers of land or their suerties.	
		Section 64(2) ..	When a grant has been taken under management by the Collector, or has been re-sold by him, the Collector may recover, in any manner authorized by subsection (1) any money due to the defaulter by any lessee or assignee.	
196	The Baluchistan Frontier Crossing Regulation 1939	Section 2(2) ..	Every warning for the purpose of this Regulation shall be in writing and shall— (a) If addressed to an individual, be signed by the Provincial Government of West Pakistan or by the Magistrate of the district within which such individual dwells or may be found and be served upon him in such manner as the Provincial Government of West Pakistan may by general or special order prescribe:—	
		Section 5 ..	If any person contravenes an order under clause (*b*) of sub-section (1)of section 4, the Provincial Government of West Pakistan or the Magistrate of the district within which such person dwell or may be found, may cause him to be arrested and detained in custody he until accepts his release upon such conditions as the Provincial Government of West Pakistan thinks fit to impose.	
		Section 6(1) ..	If the Provincial Government of West Pakistan or the Magistrate of the district-within which any person is dwelling or may be found, reasonably suspects that such person intends to contravene any of the provisions of sections 2 and 3, the Provincial Government of West Pakistan or the said Magistrate may require security for such persons good behaviour for a period not exceeding six months.	

			portion of the produce at such time or in such manner as to prevent the due appraisement or division there of, or for such purpose, refrains from appearing, either in person or by an agent, at the time duly appointed for such appraisement or division, or acts otherwise in a manner contrary to established usage, he shall be deemed to have obstructed the Revenue Officer in the discharge of his public functions within the meaning of section 186 of the Indian Penal Code. (2) Notwithstanding anything contained in the Code of Criminal Procedure 1898, in respect of an offence under sub-section (1)— (a) a prosecution shall not be instituted except on the complaint of the Collector, and (b) a Revenue Officer may arrest without warrant."	
197	The Baluchistan Arms Regulation 1940	Section 2 (2) ..	To section 19 the following proviso shall be added, namely:— "Provided that no prosecution under clause (c) for a contravention of section 6 in respect of the import or export in reasonable quantities for private use of rifles fire-arms or ammunition therefor, shall be instituted without the sanction of the District Magistrate".	
198	The Baluchistan Water-Supply Regulation 1941	Section 4 ..	On the issue of a notification under section 2 relating to any water the Deputy Commissioner shall cause public notice to be given at convenient places stating that the Government intends to use the water in the manner declared in the notification and that claims for compensation for damage in consequence of such use may be made to him.	
		Section 5(1) ..	The Deputy Commissioner shall inquire into any claim for compensation made to him, and shall determine the amount of compensation, if any, which shall be given to the claimant.	
		Section 7 ..	No claim for compensation for damage under this Regulation shall be entertained unless it is made before the expiration of one year from the date on which the damage was incurred: Provided that the Deputy Commissioner may admit a claim made after such time if he is satisfied that the claimant had sufficient cause for not making the claim earlier.	
199	The Baluchistan Public Safety Regulation 1947.	Section 8(1) ..	If in the opinion of the Provincial Government of West Pakistan it is necessary for the public advantage to control the supply of any commodity of general use in any area the Provincial Government of West Pakistan may by notification, make a declaration to that effect.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			(2) BALUCHISTAN CODES—*contd.*	
199	The Baluchistan Public Safety Regulation 1947—*contd.*	Section 8(2) ..	In any area which a declaration under sub-section (1) extends the Provincial Government of West Pakistan, the District Magistarte or any servant of the Government, authorised in this behalf by general or special order of the Provincial Government of West Pakistan may exercise all or any of the following powers in regard to the commodity to which the declaration relates, namely:— (a) by general or special order in writing to require any trader to make a return, in such form and within such time and to such authority as may be specified in the order, of the stock of such commodity held by him or consigned to him or under order on his account; or any contracts for the supply to or by him of such commodity or for or in connection with the production or manufacture of such commodity and of any other dealing by him therein; of the persons with whom and the prices at which any such contracts or other dealings were mad e or had or the prices at which such commodity has been bought or sold by him of the cost of production of such commodity, so far as it may be known to him and the profits usually made for expected by him on the sale thereof, and of any other matter specified in the order with respect to which, in the opinion of the Provincial Government of West Pakistan or other authority making the order, it is desirable to obtain information for the purpose of controlling the price of such commodity: (b) by notification to prescribe the conditions under which (including the maximum price at which and the persons by whom and to whom) such commodity may be sold: and such conditions may be general for the whole area or may vary as regards different localities therein, and different conditions may be prescribed for different classes of such commodity ;	

			(c) by order in writing, to require a trader to place the whole or any portion of his stock, whether immediately available or not at the disposal of the Provincial Government of West Pakistan at such time and place and in such manner as may be specified in the order, on receiving payment therefor at the price of prices fixed under clause (b).	
		Section 9(2 ..	The District Magistrate if satisfied that any person employed in or in connection with an undertaking for the supply or transmission of water or electricity is acting in any manner prejudicial to the public peace or maintenance of public order may by order in writing require the employer of such person to dismiss such person from his employment, and may further prohibit the re-employment of such person in or in connection with— (a) the maintenance and working of air transport including aerodromes; (b) road transport ; (c) any system of public conservancy or sanitation ; (d) any industry, business or establishment engaged in the production or supply to the public of light, heat, power, water or motive fuel; or (e) any industry, business or establishment engaged in the production or supply to the public of any commodity notified by the Provincial Government of Pakistan in this behalf.	
		Section 10(2) ..	The District Magistrate, in his opinion it is necessary for the public advantage may by order in writing — (a) regulate, restrict or prohibit the use upon any road or any vehicle or animal ; (b) require any vehicle as a condition of use to carry a per mit issue him containing such conditions as he may think fit; (c) require any person owing or having in his possession or under his control any vehicle or animal to comply with any direction contained in the order as to the management or use thereof, or to place the vehicle or animal at the disposal of the District Magistrate or of any person specified in the order either absolutely or by way of hire and either for immediate or future use.	

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Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
			(2) Baluchistan Codes—*contd.*	
199	The Baluchistan Public Safety Rgulation 1947—*contd.*	Section 10(3) ..	The District Magistrate may cancel any permit issued by him and may impound or take possession of any vehicle which is being or has been used without the permit necessary as a condition of use, or in contravention of any order made under sub-section (1) or of any condition attached to any permit issued by him.	
		Section 10(4) ..	The District Magistrate may— (a) require accommodation to be provided on any vehicle for any passengers or goods and, for this purpose, exclude from such vehicle any passengers or goods which it is already carrying or about to carry; (b) require that any specified persons or classes or persons of persons proposing to travel to specified destinations, or any specified goods or classes of goods or goods consigned to specified destination, shall not be carried on any veheile or animal ; (c) exclude or eject any passenger from any vehicle or prohibit the use by any specified person or calss of persons of any specified road, or specified vehicle or specified animal.	
		Section 10 (5) ..	The District Magistrate may, by order in writing regulate or prohibit the sale, supply, delivery, or use of motive fuel, oil or accessories intended for motor vehicles.	
		Section 11 ..	The District Magistrate may, by order in writing, prohibit in any area specified in the order, either absolutely or subject to exceptions contained in the order, the practice of taking part in or being concerned in any exercise, movement, evolution or drill which is either of a military nature or involves the use or preparation for the use of weapons of offence.	
		Section 13 ..	The District Magistrate may, by order in writing, prohibit either generally or in a specified area or for a specified time the holding of any procession or demonstration in any public place or of any public meeting or the carrying in public of anything capable of being used as a weapon of offence.	

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			Explanation—For the purpose of this section the expressio "public meeting" has the meaning attached to it in section 12 and any assembly of more than five persons, wherever it takes place, if for the purpose of a procession or demontration in a public place or a public meeting, shall be deemed to be a procession, demonstration or public meeting as the case may be.	
	..	Section 33(1)	The Provincial Government of Pakistan or the District Magistrate if satisfied that the inhabitants or any dangerously disturbed area are or have been since the 20th August, 1947 concerned in the commission o loffences or other acts which are prejudicial ro the maintenance of Law and Order or to the public revenues, or are to have been since the said date harbouring persons concerned in the commission of such offences or acts, may forthwith impose a collective fine on the inhabitants of that area.	
		Section 33(2) ..	An order made by the District Magistrate under sub-section (1) shall be reported forthwith by him to the Provincial Government and the Povincial Government may threreupon amend, vary or rescind such order.	
		Section 33(3) ..	The authority imposing a collective fine on the inhabitants of an area under sub-section (1) may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.	
		Section 33(4) ..	The District Magistrate, after such inquiry, shall apportion the fine imposed under sub-section (1) among the inhabitants who are liable collectively to pay it and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants. In apportioning the fine the District Magistrate may, in his discretion, also take into account the respective degrees of culpability of such inhabitants	
		Section 33(5) ..	(i) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue. (ii) Without prejudice to the generality of the foregoing power, and in particular, the District Magistrate may forthwith recover such fine payable by any person by seizure and sale of his entire movable property and uncut or ungathered crops. *Explanation*—For the purposes of this section the "inhabitants" of an area includes person who themselves or by their agents or servants occupy or hold land or other immovable property with in such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			(2) BALUCHISTAN CODES—*concld.*	
199	The Baluchistan Public Safety Regulation 1947—*contd.*	Section 34(1) ..	If in any dangerously disturbed area, death or grivious hurt or loss of or damage to property has been caused by or has ensured since the 20th August, 1947, from the misconduct of the inhabitants of such area of any class or section of them the District Magistrate shall after such inquiry as he may deem necessary— (a) declare the persons to whom injury has been caused by or has ensured from such misconduct ; (b) fix the amount of compensation to be paid to such persons and the manner in which it is to be distributed among them ; and (c) assess the proportion in which the same shall be paid by the inhabitants of such area,who shall not have been exempted from liability to pay under the next succeeding sub-section. Provided that the District Magistrate shall not take action under this sub-section unless he is of opinion that the person who suffered the injury was himself free from blame in respect of the occurrence which led to such injury.	
		Section 34(3) ..	Every order passed by the District Magistrate under sub-section (1) shall be subject to revision by the Provincial Government, but save as aforesaid shall be final.	
		Section 34(5) ..	All monies payable under this section shall be recoverable by the District Magistrate as a fine or as arrears of land revenue.	

		Section 37(3) ..	The following shall be deemed to have been added as subsection (3) of section 340, namely:— "If it appears to the Court that any accused person has had a reasonable opportunity of engaging a pleader and has neglected or omitted to do so, and it, in the opinion of the Court it is necessary for the purposes of justice that such accused should be defended by pleader, the Court may direct any pleader to appear before it and conduct the defence of the accused. Any pleader so directed shall receive remuneration according to a scale to be laid down by the Provincial Government and any sums so paid to him, may if the District Magistrate, so directs, be recovered from the accused as an arrear of land revenue".	
	..	Section 40(1) ..	Any person to whom an arrear of a notified liability is due may apply in writing to the Collector to realise it, and the Collector may, after satisfying himself that the amount claimed is due, proceed to recover it as an arrear of land revenue, in accordance with the law applicable to the recovery of arrears of land revenue in the area concerned.	
		Section 40(3) ..	Any person from whom an amount has been recovered under this section in excess of the amount due from him may recover such excess in accordance with law from the person on whose behalf the Collector has realised it.	
			(iv) FORMER BAHAWALPUR LAWS.	
200	The Bahawalpur State Co-operative Societies Act, 1913.	Section 17(3) ..	The Registrar, the Collector or any person authorised by general or special order in writing in this behalf by the registrar shall at all times have access to all the books, accounts, papers and securities of a society and every officer of the society shall furnish such information in regard to the transactions and working of the society as the person, making such inspection may require.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	
			(iv) FORMER BAHAWALPUR LAWS—contd.	
		Section 32(1) ..	The Registrar may of his own motion and shall on the request of the collector or on the application of a majority of the committee, or of not less than one-third of the members hold an inquiry or direct some person authorised by him, by order in writing in this behalf, to hold an inquiry into the constutiton, working and financial condition of a registered society.	
		Section 40(4) ..	Where an appeal from any order made by a liquidator under this section is provided for by the rules, it shall lie in the court of the Collector.	
		Section 40(5) ..	Orders made under this section shall, on application, be enforced as follows :— (b) When made by the Court of the Collector on appeal in the same manner as a decree of such court made in any suit pending therein.	
201	The Bahawalpur Legal Practitioners Act ,1940.	Section 9 ..	If any such legal practitioner practising in any subordinate court or in any revenue office is charged in such court or office with takin instructions except as aforesaid or with any such misconduct as aforesaid, the presiding officer shall send him a copy of the charge and also a notice that, on a day to be therein appointed, such charge will be taken into consideration. Such copy and notice shall be served upon the legal practitioner at least fifteen days before the day so appointed. On such day, or any subsequent day to which the inquiry may be adjourned, the presiding officer shall receive and record all evidence properly produced in support of the charge or by the legal practitioner and shall proceed to adjudicate on the charge.	

			If such officer finds the charge established and considers that the legal practitioner should be suspended or dismissed in consequence, he shall record his findings and the grounds thereof and shall report the same to the High Court and the High Court may acquit suspend or dismiss the legal practitioner.	
			The High Court may, pending the investigation suspend from practice any legal practitioner charged under this section, on the report of the court or the office concerned.	
			Every report made to the High Court under this section shall:— (a) when made by the Civil Judge subordinate to the District Judge, be made through such judge, (b) when made by a Magistrate subordinate to the Magistrate of the District, be made through the Magistrate of the District. (c) when made by any Revenue Officer subordinate to the Chief Controlling Revenue Authority, be made through such authority or Deputy Commissioner as the case may be.	
			Every such report shall be accompanied by the opinion of such Judge Magistrate or Revenue authority or Deputy Commissioner through whom it is made.	
		Section 16(1) ..	The High Court, Session Judge, District Judge, District Magistrate and every Revenue Officer not being below the rank of a Collector of a District (each as regards their or his own court and the courts, if any subordinates thereto), may form and publish lists of persons proved to their or his satisfaction or to the satisfaction of any subordinate court as provided in sub.section (2A) by evidence of general repute or otherwise, habitually to act as Touts, and may, from time to time alter and amend such lists. *Explanation*—The passing of a resolution, declaring any person to be or not be a tout, by a majority of the members, present at a meeting specially convened for the purpose or an associaition of persons entitled to practice as legal practitioners in any court or revenue office, shall be evidence of the general repute of such persons for the purposes of this sub-section.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
			Former Bahawalpur Laws—*contd.*	
201	The Bahawalpur Legal Practitioners Act, 1940 —*concld.*	Section 16(2) ..	No persons' name shall be included in any such list until he shall have had an opportunity of showing cause against such inclusion.	
		Section 16 (2A) ..	Any authority empowered under sub-section (1) to frame and publish a list of touts may send to any court subordinate to such authority the names of any persons alleged or suspected to be touts and order that court to hold an enquiry in regard to such persons, and the subordinate court shall thereupon hold an enquiry into the conduct of such persons and after giving each such person an opportunity of showing cause as provided in sub-section (2), shall report to the authority which has ordered the enquiry the name of each such person who has been proved to the satisfaction of the subordinate court to be a tout; and that authority may include the name of any such person in the list of touts framed and published by that authority. [Provided that such authority shall hear any such person who, before his name has been so included appears before it and desires to be heard.	
		Section 16(3) ..	A copy of every such list shall be kept hung up in every court to which the same relates.	
		Section 16(4) ..	The court of Judge may, by general or special order exclude from the precincts of the court any person whose name is included in any such list.	
		Section 16(5) ..	Every person whose name is included in any such list shall be deemed to be proclaimed as a tout within the meaning of section 8 clause (c).	
		Section 16(6) ..	Any person who acts as a tout whilst his name is included in any such list shall be punishable with imprisonment which may extend to three months, or with fine which may extend to Rs. 500 or both.	
202	The Bahawalpur State Court of order Act, 1942.	Section 4 (2) ..	The Court of Wards may exercise all or any of the powers conferred on it by this Act either direct or through the Deputy Commissioner of the Dis-	

			trict within the limits of which any ward may at any time reside or any part of the property of any ward may be situated, or through any other person whom it may at any time, in respect of any ward or the whole or any part of the property of any ward, appoint in that behalf.	
		Section 7 (2) ..	When the Deputy Commissioner is appointed or declared to be guardian of the person or property, or both, of a minor under the provisions of section 18 of the Guardian and Wards Act, 1890, he shall intimate the fact to the Court of Wards, and the Court of Wards may thereupon, in its discretion, either assume, or refrain from assuming, the superintendence of the person or property or both (as the case may be) of such minor, and the provisions of this Act shall if such superintendence be so assumed, apply to the person or property, or both (as the case may be) of such minor.	
		Section 9 ..	Whenever the Court of Wards assumes the superintendence of the person or property of any person under any of the provisions of this Act, the order of assumption shall be notified in the Gazette, and shall specify the district the Deputy Commissioner of which shall be put in charge on behalf of the Court of Wards.	
		Section 1(1) ..	For the purpose of satisfying himself as to whether, in respect of any land-holder:— (*a*) Provincial Government should be moved to make an order under sub-section (2) of section 5, or (*b*) the Court of Wards should be moved to make an order under section 6 or for the purpose of making any report which may be called for in connection with any application of a land-holder under sub-section (1) of section 5, the Deputy Commissioner may make such inquiry into the circumstances of such land-holder as he may deem necessary, and pending the taking of any such action, may issue such orders for the temporary custody and protection of the person or property, or both of such land- holder, as he thinks fit.	
		Section 11 (2) ..	If the land-holder be a minor, the Deputy Commissioner may direct that the person, if any, then having the custody of the minor shall produce him, or cuase him to be produced, at such place and time as the Deputy Commissioner appoints, and may make such order for the future custody of the minor , pending the orders of the Court of Wards, as he thinks proper.	

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Serial No.	Act Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			FORMER BAHAWALPUR LAWS—*contd.*	
202—*contd.*	The Bahawalpur State Court of Wards Act 1942.—*contd.*	Section11 (3) ..	If the minor is a female who ought not to be compelled to appear in Public, the direction under Sub-section (2) shall require her to be produced in accordance with the manners and customs of the country.	
		Sectiyn 11 (4) ..	If the land-holder is alleged to be or is of unsound mind the Deputy Commissioner shall make application to the District Judge with a view to an inquiry being made by a such Court for the purpose of ascertaining whether such person is or is not of unsound mind and incapable of managing his affairs.	
		Section 12 (1) ..	For the purposes of every inquiry to be made, or direction to be given in pursuance of any of the provisions of this Act, the Deputy Commissioner may exercise all or any of the powers of a Civil Court under the Code of Civil procedure.	
		Section 12 (2) ..	For the purpose of protecting the property or any part thereof, of any land-holder pending in an enquiry under sub-section (1) of section 11, the Deputy Commissioner may, subject to the direction and control of the Court of Wards, take possession thereof and appoint a manager and such care-taker in respect thereto as he may deem fit.	
		Section 19 (1) ..	No suit relating to the person of any Ward or to any property under the superintendence of the Court of Wards shall be instituted in any Civil or Revenue Court until the expiration of two months after notice in writing has been delivered to or left at, the Office of the Deputy Commissioner of the District specified in the order of assumption in the notification under section 9, stating the name and place of abode of the intending plaintiff, the cause of action, and the relief which he claims; and the plaint shall contain a statement that such notice has been so delivered or left:	

			Provided that notice under this section shall not be required in the case of any suit the period of limitation for which will expire within three months from the date of the notification under section 9.	
		Section 20 (3) ..	Suits brought by or against any Court of Wards may be instituted and conducted or defended on behalf of the Court of Wards by the Deputy Commissioner of the District specified in the order of assumption in the notification under section 9, or by the manager or other person authorized by general or special order or rule made under this Act, in that behalf, by the Court of Wards.	
		Section 21 ..	As soon as conveniently may be after the assumption by the Court of Wards, of the Superintendence of the property of any person, the Deputy Commissioner of every district within which any part of such property may be situated, or some person authorized, in writing by him in this behalf, shall take possession of all such property and all accounts and papers relating thereto, and shall do all other acts and things which may be necessary to secure and protect the same and place it under proper custody and control.	
		Section 26 (1) ..	On the publication of a notification under Section 9, the Deputy Commissioner of the District specified in the order of assumption whom the Court of Wards may appoint in that behalf, shall publish in the Gazette a notice in the Urdu language, calling upon all persons having claims against the wards or against the property under the superintendence of the Court of Wards to notify the same in writing to such Deputy Comissioner within six months from the date of the publication of the notice.	
		Section 26 (2) ..	The notice may also be published at such place and in such other manner as the Court of Wards, may, by general or special order, direct or by rule, made under this Act, prescribe.	
		Section 26 (3) ..	The Deputy Commissioner may if he is satisfied that any claimant had reasonable excuse for not submitting his statement or claim within six months receive his claim at any time after the expiry of the period aforesaid, but any claim so received shall, unless the Deputy Commissiorner otherswise directs and notwithstanding any law, contract, decree or award to the contrary cease to carry interest from the date of the expiry of the period aforsaid.	
		Section 27 (1) ..	Every claimant shall, together with his statement of claim present full particulars thereof.	
		Section 27 (2) ..	Every document (including entries in books of accounts) on which the claimant founds his claim, or on which he relies in support thereof, shall be produced before the Deputy Commissioner with the statement of claim.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
			(3) Former Bahawalpur Laws—*contd.*	
202—*contd.*	The Bahawalpur State Court Wards Act, 1942—*contd.*	Section 27 (3) ..	Every such document sall be accompanied by a true copy of the same. The Deputy Commissioner, or such officer as he may appoint in that behalf, shall mark the original document for the purpose of identification , and, after examining and comparing the copy with it, shall retain the copy and return the original to the claimant.	
		Section 28 (1) ..	The Deputy Commissioner shall, after such inquiry as he may consider necessary, decide, as to each claim made against any ward or property, in manner in section 26 and section 27 provided, whether such claim is, either in whole or in part, to be admitted or disallowed, and shall intimate, in writing, his decision in respect of each such claim to the claimant thereof. If such liabilities cannot be paid at once the decision shall fix the interest (if any) to be paid thereon from the date of such decision to the date of the payment and discharge of such claim.	
		Section 29 ..	Every debt or liability (other than debts due to, or liabilities incurred in favour of, the Government) to which any ward is subject or with which any property under the superintendence of the Court of Wards or any part thereof is charged, and which is not duly notified to the said Deputy Commissioner within the time and in the manner hereinbefore prescribed shall, subject to the provisions of section 7 andsection 13 of the Pakistan Limitation Act, 1877, be deemed for all purposes and on all occasions, whether during the continuance of the supersintendence of the Court of Wards or afterwards, to have been duly discharged.	
			Provided that the provisions of this section shall not be deemed to extinguish any such debt or liability in any case in which the Court of Wards after assuming the superintendence of such property releases the same from such superintendence without ascertaining or dealing with the liabilities thereof as in this chapter provided in that behalf and that, in any such case, in computing the period of limitation applicable to any suit or application for the recovery of any such debt or the enforcement of any such liability, the time from the date of the notification of claim under section 26, to the date of the release of the property from the superintendence of the Court of Wards, shall be excluded.	

		Section 32 (1) ..	Subject to the provisions of section 19 and section 31, nothing in this chapter shall be construed as preventing any claimant from bringing or prosecuting any suit in any competent Court, in respect of any claim which has been duly notified, within the time and in the manner herein-before prescrived, to the Deputy Commissioner and which has, whether in whole or in part, been disallowed by him. but no suit shall at any time be brought or be maintainable in respect of any claim which has not been so notified or to set aside or modify the order of a Deptuy Commissioner (if any) fixing a date for the payment of such claim or regulating the order on which claims against the ward or properties under the superintendence of the Court of Wards shall be paid.	
		Section ..	No appeal shall lie from any decision given or order made by a Deputy Commissioner under this chapter, but nothing in this section shall be deemed in any way to limit or interfere with the power of the Court of Wards to revise any such decision or order.	
		Section 33 (2) ..	In appointing a guardian under this section, the Court of Wards shall be guided, as far as may be, by the provisions, of section 17 of the Guardians and Wards Act, 1890 and if a ward leaves or is removed from the custody of a guardian appointed under this section, the Deputy Commissioner of the District specified in the notification issued under section 9 may exercise the power conferred by section 25 of the said Act on a Court as defined in that Act.	
		Section 43 ..	If no such guardian or manager is appointed by the Court of Wards the Deputy Commissioner of the district specified in the order of assumption in the notification under section 9 or any other Deputy Commissioner whom the Court of Wards may appoint in that behalf, shall be competent to do anything that might be lawfully done by a guardian of the person or a manager of the property appointed under this Chapter.	
		Section 44 ..	The Court of Wards may, at any time, release any person or property or both, from its superintendence. Provided that the property of a land-holder who has been made a ward in accordance with an order made under section 5, shall not be released from the superintendence of the Court of Wards without the previous sanction of the Commissioner. Provided further that persons or property under the charge of the Court of Wards in accordance with the provisions of sub-section (2) of section 7 shall not be released without the concurrence of the Court which appointed or declared the Deputy Commissioner to be guardian of the persons or property, or both, of the person concerned, under the Guardian and Wards Acts, 1890.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			(3) FORMER BAHAWALPUR LAWS—*contd.*	
202—*concld.*	The Bahawalpur State Court of Wards Act, 1942—*concld.*	Section 47 (1) ..	When the Court of Wards decides to release from its superintendence the person or property or both, of any minor, it may before such release, by an order in writing, appoint any person to be the guardian of the person or property, or both of such minor.	
		Section 47 (2) ..	Such appointment shall take effect from the date of such release.	
		Section 47 (3) ..	In appointing a guardian under this section the Court of Wards shall be guided by the provisions of section 17 of the Guardians and Wards Act 1890, and in every such case the Deputy Commissioner of the District specified in the order of assumption in the notification under section 9 shall have the powers conferred upon a Deputy Commissioner under section 35 (2)	
		Section 53 ..	Every investigation conducted by a Deputy Commissioner with reference to any claim preferred before him under Chapter VI or Chapter VII or to any matter connected with any such claim shall be taken to be a judicial proceeding within the meaning of the Pakistan Penal Code.	
203	The Bahawalpur Ferries Act, 1943	Section 4 ..	Claims for compensation for any loss sustained by any person in consequence of a private ferry being taken possession of under section 3, shall be enquired into by the Deputy Commissioner of the District in which such ferry is situated or such officer as he appoints in this behalf, and submitted for the consideration and orders of Provincial Government.	
		Section 5 ..	The superintendence of every public ferry shall, except as provided in Section 6, be vested in the Deputy Commissioner of the district in which such ferry is situated and such Deputy Commissioner shall, except when the tools at such ferry are leased, make all necesary arrangements for the supply of boats for such ferry and for the collection of the authorised tools leviable thereat.	

		Section 8 ..	All arrears due by the lessee of tools of a public ferry on account of his lease may be recovered from the lessee or his surety (if any) by the Collector of the district in which such ferry is situated as if they were arrears of land revenue.	
		Section 9 ..	Provincial Government may cancel the lease of the tools of any public ferry, on the expiration of six months notice in writing to the lessee of its intention to cancel such lease. When any lease is cancelled under this section the Deputy Commissioner of the district in which such ferry is situated shall pay to the lessee such compensation as such Deputy Commissioner may, with the previous sanction of the Commissioner award.	
		Section 10 ..	The lesssee of the tools of a public ferry may surrender his lease on the expiration of one month notice in writing to the Commissioner of his intention to surrender such lease, and on payment to the Deputy Commissioner of the district in which such ferry is situated of such compensation as such Deputy Commissioner, subject to the approval of the Commissioner may, in each case, direct.	
		Section 12 ..	Except with the sanction of the Deputy Commissioner of the district no person shall establish maintain or work a ferry to or from any point within a distance of two miles from the limits of a public ferry:— Provided that in the case of any specified public ferry Provincial Government may, by notification in the official Gazette reduce or increase the said distance of two miles to such extent as it thinks fit: Provided also that nothing hereinbefore contained shall prevent persons plying between two places, one of which is without, and one within, the said limits when the distance between such two places is not less than three miles or apply to boats which do not ply for hire, or which Provincial Government expressly exempts from the operation of this section.	
		Section 15 ..	The lessee or other person authorized to collect the tolls, of any public ferry shall fix a table of such tolls, legibly written or printed in Urdu and also, if the Commissioner so directs, in English in some conspicuos place near the ferry and shall be bound to produce, on demand, a list of the tolls, signed by the Deputy Commissioner of the district or such other officer as he appoints in this behalf.	
		Section 23 ..	When any lessee of the tolls of a public ferry makes default in the payment of the rent, payable in respect of such tolls, or has been convicted	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			(3) FORMER BAHAWALPUR LAWS—*contd.*	
203—*concld.*	The Bahawalpur Farrie Act 1943—*concld,*	Section 23—*concld.*	of an offence under section 22, or having been convicted of an offence under section 20 or section 21 is again convicted of an offence under either of these sections, the Deputy Commissioner of the district may with the sanction of the Commissioner cancel the lease of the tolls of such ferry, and make other arrangement for its management during the whole or any part of the term for which the tolls were let.	
		Section 30 ..	When the lease for the tolls of any ferry is surrendered under section 10 or cancelled under section 23, the Deputy Commissioner of the district may take possession of all boats and their equipment and all other material, appliances used by the lessee for the purposes of such ferry, and use the same (paying such compensation for the use thereof as Provincial Government may in each case direct) until such Deputy Commissioner can conveniently procure proper substitutes therefor.	
		Section 31 ..	When any boat or their equipment, or any materials or appliances suitable for setting up a ferry are emergently required in connection with flood relief work or for facilitating the transport of officers forces of the Government of Pakistan on duty, or of any animals, vehicles or baggage belonging to such officers, troops or persons, or of any property of the Government the Deputy Commissioner of the District may take possession of and use the same (paying such compensation for the use thereof as the Provincial Government may in each case direct) until such relief work or transport is completed.	
204	The Bahawalpur Cattle Trespass Act, 1944,	Section 4 ..	Pounds shall be established at such places as the Magistrate of the District, subject to the general control of the Government from time directs. The village by which every pound is to be used shall be determined by the Magistrate of the District. Control of pounds, rates of charges for feeding impounded cattle.	

		Section 5 ..	The pounds shall be under the control of the Magistrate of the District and the Government shall fix and may from time to time alter, the rates of charges for feeding and watering impounded cattle.	
		Section 12 ..	For every head of cattle impounded as aforesaid, pound keeper shall levy a fine in accordance with the scale for the time being prescribed by the Government in this behalf by notification in the official Gazette. Different scales may be prescribed for different local areas. All fines so levied shall be sent to the Magistrate of the District through such officer as the Government may direct. A list of the fines and of the rates of charges for feeding and watering cattle shall be posted in conspicuous place on or near to every pound.	
		Section 14 ..	If the cattle be not claimed within seven days from the date of their being impounded, the pound keeper shall report the fact to the officer incharge of the nearest police station, or to such other officer as the Magistrate of the District appoints in this behalf. Such officer shall thereupon stick up in a conspicuous part of his office a notice stating— (*a*) the number and description of the cattle (*b*) the place where they were seized, (*c*) the place where they are impounded, and shall cause proclamation of the same to be made by beat of drum in the village and at the market place nearest to the place of seizure. If the cattle be not claimed within seven days from the date of the notice they shall be sold by public auction by the said officer, or an officer of his establishment deputed for that purpose, at such place and time and subject to such conditions as the Magistrate of the District by general or special order from time to time directs. Provided that, if any such cattle are, in the opinion of the Magistrate of the District, not likely to fetch a fair price if sold as aforesaid, they may be disposed of in such manner as he thinks fit.	
		Section 17 ..	The officer by whome the sale was made shall send to the Magistrate of the District the fines so deducted. The charges for feeding and watering deducted under section 16 shall be paid over to pound keeper who shall also retain and appropriate all sums received by him on account of such charges under section 13. The surplus unclaimed proceeds of the sale of cattle shall be sent to the Magistrate of the District who shall hold them in deposit for three months and if no claim thereto be preferred and established within that period shall at expiry, dispose of them as hereinafter provided.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
204	The Bahawalpur Cattle Trespass Act 1944—*concld.*	Section 20 ..	Any person whose cattle have been seized under this Act, or having been so seized, have been detained in contravention of this Act, may, at any time within the days from the date of the seizure, make a complaint to the Magistrate of the District or any Magistrate authorised to receive and try charges without reference by the Magistrate of the District.	
		Section 21	The complaint shall be made by the complainant in person, or by an agent personally acquainted with the circumstances. It may be either in writing or verbal. If it be verbal, the substance of it shall be taken down in writing by the Magistrate. If the Magistrate on examining the complainant or his agent, sees reason to believe the complaint to be well founded, he shall summon the person complained against and make an enquiry into the case.	
		Section 22 ..	If the seizure or detention be adjudged illegal the Magistrate shall award to the complainant for the loss caused by the seizure or detention, reasonable compensation, not exceeding one hundred rupees, to be paid by the person who made the seizure or detained the cattle together with all fines paid and expenses incurred by the complainant in procuring the release of the cattle, *Release of cattle*— and if the cattle have not been released the Magistrate shall, besides awarding such compensation order their release and direct that the person who made the seizure or detained the cattle.	
		Section 23 ..	The compensation, fines and expenses mentioned in section 22 may be recovered as if they were fines imposed by the Magistrate.	
205	The Bahawalpur State Arms Rule 1945.	Section 2 ..	Licences shall be issued by the Deputy Commissioners, who will maintain registers showing full particulars of licencee and the arms for which a licence has been issued.	

			Similar particulars will be maintained by the Superintendent police. In any case where the Deputy Commissioner has reason to suspect the character of an applicant, enquiry should be made from the Superintendent police before the issue of a licence. Licenced weapon will be checked periodically by the police.	
		Section 8 ..	(c) All other applications should be submitted through the Deputy Commissioner of the District who will consult the Commissioner of Police regarding the antecedents of the applicant and then forward the application to the Alimarabat the Revenue Minister who will transmit it with his remarks, if any, to the Durbar Officer.	
		Section 13 ..	The District Magistrate and all Police Officers not below the rank of a Sub-Inspector are authorised to inspect the shop or licenced stores in their illaqa of persons who are granted licences under the preceding rule. Such Magistrate and Police Officer should also check the accounts of purchase and sale of arms and weapons and ammunition in stock, etc. At least one inspection in each year shall be performed by the Superintendent of Police and copies of inspection reports shall be submitted to the office of the licencing authority through I. G. Police. At the time of each inspection the books shall be initialled by the Inspecting Officer. An irregularity or breach of the rules, which may be noticed, shall at once be similarly reported to the Durbar Office.	
		Section 18 ..	Government Officials who are resoponsible for Govrenment money and Lumbardars and Zaildars who deal with Government money may be granted licences for protection irrespective of the qualifications prescribed under Rule 15 above on the recommendation of the Deputy Commissioner concerned. Government may also in any special circumstances sanction the grant of a licence for holdng a M. L. Gun in such cases in any area on a specially reduced fee of Re. 1 to reliable persons with a view to protection of life and property and especially in areas exposed to danger or risk.	
		Section 29 ..	Persons possessing a licence to carry arms in British India shall not possess or carry them in State territory except under the Rules in force in the States.	
			Explanation—Journey Licences issued by District Magistrates in the Punjab and permits issued by officers commanding to serving sodiers as well as Journey licences issued by durbars to their subjects for going armed for a specified period, are however recognised by Bhawalpur State as a matter of reciprocity.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
			(3) FORMER BAHAWALPUR LAWS	
206	The Bahawalpur Agriculture Produce Market Act, 1947	Section 2 ..	*Definition*—In this Act, unless there is anything repugnant in the subject or context:—	
			(c) "Grower" means a person who grows agricultural produce personally through tenants or otherwise but shall not include a grower who works as a dealer or a broker or who is a partner of a firm of dealers of brokers or is otherwise engaged in the business of disposal or storage of agricultural produce	
			Provided that no person shall be disqualified from being a grower on the ground only that he is a member of a society registered under the Co-operative Societies Act, 1942, which deals in the purchase or sale of agricultural produce or is otherwise engaged in the business of disposal or storage of agricultural produce. If a question arises as to whether any preson is a grower or not for the purposes of this Act, the decision of the Deputy Commissioner of the District in which the notified area is situated shall be final.	
		Section 5 (1) ..	On the declaration of any area as notified market area any person wishing to obtain a licence under sub-section (1) of section 6—	
			(*b*) as a seller and buyer of agricultural produce in such area shall apply to the Deputy Commissioner of the District in form A given in the Schedule attached to these rules.	
			Provided that it shall not be necessary for the owner of any premises letting out the same to any other person for setting up, establishing or containing or allowing to continue any place for the purchase and sale of agricultural produce to obtain a licence if he does not himself work as a dealers.	
		Section 5 (2) ..	Subject to the proviso to section 6 (1) and on being satisfied that the grant of the licence does not offend against any order under section 6 (2) of the Act the Deputy Commissioners shall call upon the applicant to deposit in the Government treasury the requisite licence fee.	

		Section 5 (4) ..	When the Deputy Commissioner is satisfied that the requisite fee has been deposited he shall issue a licence to the applicant in form B or C given in the Schedule. The licence shall be signed by the Deputy Commissioner or such other officer as the Government may appoint in this behalf.	
		Section 7 (7) ..	An appeal shall lie against the decision of the market committee given under sub rule (6) to the Deputy Commissioner whose decisions shall be final. Provided that such appeal is made within 30 days of the date of the decision of the market committee and the appellant abides by the decision of market committee from the date of such decision till the date of the orders passed in appeal,	
		Section 10 (2)	Any member of a market committee may resign his office by tendering resignation in writing to the chairman, and if the member tendering resignation is himself the chairman, he shall submit it to the Deputy Commissioner of the district.	
		Section 10 (4) ..	Every resignation received by a chairman shall, along with a report of the facts in so far as these may be known to him, forthwith be sent to the Deputy Commissioner who subject to approval of the Government shall take the necessary decision on it.	
		Section 12 (1) ..	Subject to the control of Deputy Commissioner of the district the Chairman shall be the chief executive officer of the market committee, and all officers and servants of the market committee shall, subject to those Rules and bye-laws, if any, made in this respect by the market committee be subject to his control.	
		Section 12 (3) ..	The Chairman shall forthwith report the death of any member of the market committee to the Deputy Commissioner who shall take steps to get the vacancy filled up in accordance with the law.	
		Section 12 (4) ..	The Chairman shall, furthermore, bring to the notice of the Deputy Commissioner any fact or facts which in his opinion debar a member from continuing as such.	
		Section 16 ..	The Deputy Commissioner or any person authorised byhim in this behalf and the marketing officer shall be entitled to attend any meeting of the market committee but they shall not be entitled to vote. A copy of the notice convening every meeting shall be sent to the Deputy Commissioner and the Marketing Officer or any person authorised by the Deputy Commissioner in this behalf.	
		Section 17 (1) ..	A copy of the proceedings of every meeting of a market committee shall forthwith be forwarded to the Deputy Commissioner.	

Serial No.	Act/Regulation	Section	Nature and extent of powers.	REMARKS
1	2	3	4	5
206—*contd.*	The Bahawalpur Agriculture Produce Market Act, 1947—*contd.*	Section 17 (2) ..	The Deputy Commissioner shall keep a permanent record of the proceedings sent to him under the above sub-rule.	
		Section 18 (2) ..	Subject to the approval of the Deputy Commissioner the market committee shall fix the quorum of the meetings of the sub-committee appointed by it and shall nominate its chairman who shall be the convener of the meetings of the sub-committee and shall submit a record of all the work done by the sub-committee to the chairman of the market committee.	
		Section 27 ..	The chairman of a Board of arbitration shall be responsible for sending to the Deputy Commissioner a monthly statement showing the total number of disputes referred to the Board, the nature of such disputes and the number of disputes settled during the month along with a summary of the decisions of the board.	
		Section 31 (3) ..	The budget of the ensuing year shall be submitted to the Deputy Commissioner by 15th January, who shall have the power to return it for reconsideration on which lines as he may set out in his order, or subject to the approval of the Government to sanction the same with such modifications as he may consider proper. The market committee shall be bound to regulate its expenditure in accordance with the sanctioned budget.	
		Section 38 (5) ..	If at any time in the opinion of the Deputy Commissioner — (*a*) the number of persons employed by a market committee the remuniration allowed to them or to any one of them is excessive, or (*b*) any such person is unfit for the post held by him, or (*c*) any punishment awarded to any such person is inadequate or excessive or uncalled for, the market committee shall in accordance with the directions of Deputy Commissioner, reduce the number remuniration, as the case may be, dismiss the unfit person or increase, reduce or remit the punishment awarded to any one of them.	

		Section 39 (1) ..	The Deputy Commissioner shall maintain separate registers in form, for each notified market area in his district of licences granted, renewed suspended or cancelled under section 6 of the Act and of licences granted, renewed, suspended or cancelled by the market committee concerned under section 9.
		Section 39 (2) ..	In order to keep the register " K" up to date, every market committee shall promptly supply all necessary information to the Deputy Commissioner about the grant renewal suspension or cancellation of a licence granted under section 9 of the Act.
		Section 40 (2) ..	In order to keep registers "'k' up to date the Deputy Commissioner shall promptly supply all the necessary information to the market committee concerned about the grant, renewal suspension or cancellation of a licence under section 6 of the Act,
		Section 46 (3) ..	(*b*) Any person so required to furnish information shall be entitled to appeal against such requisition within one fortnight from the date of the requistion to the Deputy Commissioner whose decision in the matter shall be final.
		Section 48 ..	When there is a reasonable cause to believe that there has been an evasion in the payment of fees levied under the Act on agricultural produce the Deputy Commissioner or any other officer authorised by him in this behalf may either examine himself or authorise any member or employee or the market committee concerned to examine the books registers or accounts of any licensee under section 6 and or 9 of the Act.
		Section 63 ..	The units of price quotations in every market area shall be in terms of authorised weights and measures and shall be such as are approved by the Deputy Commissioner.
		Section 75 ..	On requisition from at least half of the number of members of the market committee or of his own motion the Deputy Commissioner, may, if he is satisfied about the urgency of the matter, call a special meeting of the market committee to consider matters of immediate important for the working of the market.
207	The Bahawalpur State Prohibition of Intoxicants Act, 1948.	Section 5 (1) ..	Whoever contravenes any provision of this Act shall on first conviction be punishable with imprisonment of either description which may extend to three months or with fine which may extend to Rs. 500 or with both, and for each subsequent conviction he shall be punishable with imprisonment of either description which may extend to six months or with fine which may extend to Rs. 1,000.
		Section 5 (2) ..	Any Muslim found in a Public place in a condition of drunkness shall on conviction, be liable in addition to the penalties prescribed in sub-section (1) to the penalty of whipping under section 4 of the Bahawalpur State Whipping Act.

Serial No.	Act/Regulation	Section	Nature and extent of powers.	REMARKS
1	2	3	4	5
207—*concld.*	The Bahawalpur State Prohibition of Intoxicants Act, 1948 —*concld.*	Section 6 ..	In any case in which an offence has been committed against this Act the liquor, drug, Material, still, untensils, implements or apparatus in respect of or by means of which the offence has been committed, shall be liable to confiscation along with the receptacle packages, covering animals carts or other vehicles used to hold or carry the same. Such confiscation may be ordered by Court even in cases where the offender is acquitted.	
		Section 7 ..	Notwithstanding anything contained in the Code of Criminal Procedure as in force in the State:— (*i*) No court inferior to that of a Magistrate of the First Class shall try any offence under this Act. (*iii*) offences punishable under this Act shall be cognizable and bailable and warrants shall ordinarily issue in the first instance.	
		Section 8 ..	A First Class Magistrate, a District Magistrate or an Additional District Magistrate shall have the power to try cases summarily under this Act.	
		Section 9	The Provisions of the Code of Criminal Procedure as in force in the State providing for appeals, reference and revision shall apply to all sentences imposed for offences under this Act, but such sentences if inflicted in sum mary trials and not exceeding one months imprisonment and Rs. 30 fine or, where on substantive sentence of imprsonment is inflicted, not exceeding Rs. 200 fine, shall not be subject to appeal.	
208	The Bahawalpur State Compulsary Regiistration and Branding of Lve Stock Act, 1948.	Section 5 ..	Unless specifically proved otherwsie the powers herein conferred shall vest in the Deputy Commissioner and duties imposed shall be perfomred by him.	

		Section 6 ..	It shall be incumbent on all owners of live-stock or persons having custody or charge of live stock to get the same branded by the staff appointed for the purpose. The Deputy Commissioner shall arrange to proclaim by beat of drum or otherwise at all important watering places and localities where owners of live stock reside permanently or temporarily all particulars regarding time and place of branding, the class of live stock to be branded and the period within which the branding to be finished at each locality.
200	The Bahawalpur Transfer of Property Act No. V of 1948.	Section 3 ..	If any right, title or interest in any evacuee's property whether movable other than agricultural land, is or has been transferred, assigned, limited or extinguished after the 14th day of August 1947, an Income-tax Officer may at any time issue a notice to all or any of the parties to the transaction requiring them to produce within one month the certificate as prescribed under the preceding section, and if such certificate is not produced he may forward a statement to the Collector showing the existing and or anticipated tax liabilities of each or any of the said parties. The Collector shall then proceed to recover the total amount shown in the statement as if it were an arrear of land revenue, and for the purpose of the recovery proceedings he may treat the said property as if belonged to all or any of the persons named in the statement.
210	The Bahawaldur Cotton (Control) Rules, 1949.	Section 7 (1) ..	The following Government servants shall be *ex-officio* Inspectors in the area mentioned against each :— Deputy Commissioner Magistrate incharge of Police Stations Chief Cotton Inspector District Agricultural Officer } Within their respective jursidictions. (*b*) Every Inspector appointed under sub-rule 7 (*a*) may on the orders of the Chairman of the Board and not otherwise, within the local limits of his jurisdiction. (*i*) enter any factory ; (*ii*) examine any machinery used or kept or possessed for ginning or pressing of cotton, or for the extraction of oil from cotton seeds ; (*iii*) examine such registers, returns, documents or accounts as are maintained and or in his opinion necessary to examine for the purposes of his enquiry or report, (*iv*) call from the occupier any information relating to the machinery or any part thereof, and (*v*) exercise in good faith such other powers as he deems necessary.

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Serial No.	Act/Reoulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
210—*contd.*	The Bahawalpur Cotton (Control) Rules, 1949	Section 12 (7) ..	All scales or wrights used to kept or possessed for the weightment of cotton or cotton seed shall be open to inspection, examination or test by an Inspector at all times without notice.	
		Section 16 (3) ..	When an Inspector has reason to suspect that sub-rules (1) or (2) is being contravened, he shall intimate his suspicion to the occupier and in his presence obtain a sample of the lint or the seed and after sealing the same with the seal, if any, of the factory, send it to the Chief Cotton Inspector with the following certificate :— "Certified that the sample of lint or seed), obtained from (Name, factory number and other particulars).............on the day of...... 19 , was taken and sealed in the prsence of Name and other particulars)........................and is forwarded, in accordance with the provisions of rule 16 (3) of the Bahawalpur Cotton Control Rules, 1949". *Note*—The sample so obtained shall not exceed half a seer of seed and quarter seer of lint.	
		Section 18 (3) ..	An Inspector on finding that cotton grown in any filed contains admixtures may order in writing that off-type plants, i. e., of types or varities other than those prescribed, shall be removed or destroyed by the grower at his own expense within a specified period. In the event of failure to comply with the order of the Inspector, the matter shall be reported to the Chief Cotton Inspector, who may order destruction of the crop or reguing out off-type plants or who may get the crop regued out or destroyed under his own supervision and realise all costs as arrears of land revenue.	
		Section 19 (3) ..	Permission to gin cotton reserved under sub-rule (1) or (2) shall be granted by the Chief Cotton Inspector on the following conditions :— (*b*) Before the ginning of the reserved Cotton starts, the factory shall be cleared to the satisfaction of the Inspector deputed for the purpose who shall certify it as fit and clean for ginning.	

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		Section 24 (1) ..	Any person contravening any of the porivsions or direcons of these rules for which no penalty has been provided in these rules, or any person not complying with the lawful order direction conveyed to him in writing, which the Chairman of the Board or Director of Agriculture or the Chief Cotton Inspector or an Inspector is authorised to give or issue, shall be punishable with imprisonment not exceeding three months or fine which may extend to one thousand rupees or both : Provided that such occupier or manager or purchaser shall also be liable to similar punishmnet for a breach of the provisions of these rules committed by an agent or employees of a factory or of a firm or by any one else connected with the purchase or sale of cotton or cotton seeds under his orders or with his connivance and his benefit.	
		Section 24 (2) ..	When it is made to appear to the satisfaction of the Inspector at any time prior to the initation of a prosecution that :— (a) an occupier of a factory has used due diligence to enforce the execution of these rules ; and (b) the offence has been committed without the knowledge or consent or connivance of the occupier; the Inspector shall proceed against the person whom he believes to be the actual offender, without first proceeding against the occupier, and such person shall, if found guilty, be liable to the same punishment as the occupier otherwise would have been liable to.	
211	The Bahawalpur Juma Mosque Shops Rent Recovery Act, 1949.	Section 4 ..	Where any rent or arrear of rent is payble to the Juma Mosque Sub-Committee by a defaulter, the Secretary of Sub-Committee may send a certificate under his signature in the form as neatly as specified in Schedule I to the Collector and thereupon the Collector shall recover the rent or arrears of rent from the defulater as if it were arrears of land revenue and remit the same to the Secretary.	
212	The Bahawalpur State Agriculture Income-tax Act, 1949.	Section 3 (1) ..	The tax shall be assessed by the Collector of the district where the land to be taxed is situated and be collected as land revenue by such agency as may be notified by the Government in the official gazette.	
		Section 5 (1) ..	Every pesson who is or becomes an owner of land, within the meaning of this Act, in more than one estate, and is or becomes liable therefor to the payment of land revenue, to an amount exceeding two hundred and fifty rupees, shall submit full particulars of such land to the Collector who is to make the assessment, and where such estates are situated in more than one district he shall furthermore intimate to the collectors of all the other districts within which such estates are situated the act of his having so submitted full particulars. These particulars shall be submitted and the intimation given within 60 days of the commencement of the Bahawalpur State Agricultural Income-Tax (Amendment) Act 1953, or of such persons so becoming liable, whichever period expires later.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
212—*concld.*	The Bahawalpur State Agricultrue Income-tax Act, 1949—*concld.*	Section 5 (1)	Provided that in case a land owner had already submitted these particulars before the coming into force of the Bahawalpur State Agricultural Income-Tax (Amendment) Act, 1953, he shall not be required to submit these particulars over again, but shall give the intimation required under this sub-section. (*ii*) In case of an addition to the land of such person as is mentioned in sub-section (*i*) he shall, within 60 days of the addition, submit, full particulars of such land and give intimation thereof as directed in the said sub-section. (*iii*) The Collector who is to make the assessment may at any time by order in writing to be served by registered post, call for such statement from any person whose case is, in the opinion of the Collector, covered by this section, and the said person shall be bound to comply with the orders within such time being not less than thrity days as may be fixed in the notice. (*iv*) If the person to whom such notice is issued fails to comply with it, the Collector may assess him to tax under this Act, without such statement to the best of his knowledge.	
		Section 6 ..	If at any time the Collector is satisfied that a person has wilfully made a false statement under section 5 of the Act, by concealing or giving inaccurate particulars of the landed property owned by him, the Collector may direct that such person shall in addition to the amount of the tax payable by him, pay by way of penalty a sum not exceeding ten times the amount of tax which would have been avoided, if his statement has been accepted as correct or which had been avoided by reason of the acceptance of his statement as correct. Provided that no order shall be made under this section unless the assesiee has been heard or has been given a reasonable opportunity of beng heard.	
		Section 8 ..	Any transfer of land or of an interest therein effected after the 1st January 1949, which in the opinion of the Collector was intended to evade the tax shall be ineffective for the purposes of this Act, and the tax assessed on such land shall be payable by the person who would have been liable for its payment if no such transfer had been effected or by his successor in interest.	

213	The Bahawalpur Nocous Weeds. Control Act No. 15 of 1953.	Section 5 (2)	(۲) اگر پودوں کے مکمل اتلاف کے لئے حکومت کی جانب سے مقرر کردہ مدت کے اختتام پر کوئی رپورٹ یا اطلاع موصول ہو جائے ۔ کہ کوئی قابض اراضی یا کاشت کار یا مزارع حکومت کے مقرر کردہ طریقہ پر پودوں کو مکمل طور پر تلف کرنے میں ناکام رہتا ہے ۔ تو تحصیل دار جس کے حدود و اختیار میں ایسی اراضی واقع ہو ۔ رپورٹ یا اطلاع مذکور کی صداقت کے بارے میں پوری طرح اطمینان حاصل کرنے اور قاصد پر نوٹس کی تعمیل کراوے اور دو گواہوں کی شہادت قلمبند کرنے کے بعد جنہوں نے مرتکبہ خلاف ورزی کی تصدیق کی ہو ۔ فوراً اپنے ضلع کے ڈپٹی کمشنر کے پاس ایسے مقدمے کے قاصد کو جس کا طرز عمل سرتاپا اور مجرمانہ رہتا ہو سزا دی جانے کی سفارش کرے گا ۔ اور ایسی سزا جرمانے کی شکل میں فی ایکڑ دس روپے تک ہو سکے گی ۔ (۳) ڈپٹی کمشنر متعلقہ اپنے ضلع کے تحصیل دار کے پاس سے ایسی رپورٹ یا اطلاع وصول ہونے پر یا تو تحصیل دار کی سفارش کی توصیق کرے گا ۔ یا قاصد قابض اراضی کاشت کار یا مزارع پر جیسے

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
213	The Bahawalpur Nocous Control Act No. 15 Weeds of 1959.—*concld.*		کی صورت عاید کئے جانے کی مجوزا تعداد جرمانہ میں ہر مقدمے کی نوعیت کے لحاظ سے اپنی جوابریز تغیر تبدل کرے گا ۔ اور عاید کردہ جرمانے کی بمعہ مثل بقیہ محصول مال گذاری ایسی مدت کے اقرار وصول کا حکم دے سکے گا ۔ جو متعلقہ ضلع کے ڈپٹی کمشنر کی جانب سے مقرر کردہ ہو ۔ (۴) اگر اس سزا کے باوجود قابض کاشت کار یا کسی اراضی کا مزارع نقصان دہ پودوں کے استعمال کی تعمیل میں اپنی غفلت شعارانہ رویہ میں مصر پایا جائے ۔ تو ڈپٹی کمشنر جس کے حدود و اختیار میں اراضی مذکور واقع ہو ۔ مجاز ہو گا کہ نیچے کے درجے کے عہدے داران مال کے پاس کے کسی رپورٹ یا اطلاع کی وصولی پر اس اراضی میں حکومت کے مقرر کردہ طریقہ پر متعلقہ نقصان دہ	

			پودوں کے مکمل استعمال تک یومیہ ایک ایک روپیہ تک بھی جرمانہ کرے ۔ یہ سزا ماتحت تعلقہ عہدے داران مال کے پاس سے صاحب ڈپٹی کمشنر کے پاس اس امر کی اطلاع آنے تک کہ قاصد اس حکم کی تعمیل کاملا کر چکا ہے ۔ عاید رہیں گی ۔ اور یہ جرمانہ بھی متعلقہ ضلع کے ڈپٹی کمشنر کے مقرر کردہ مدت کے اندر مثل بقیہ محصول مال گذاری قاصد سے وصول کیا جائے گا ۔ مگر ڈپٹی کمشنر کوئی حکم صادر نہ کرے گا ۔ جب تک کہ وہ قاصد کو حاضری کا موقع دے کر اس کے عذرات نہ سن لے کل نمبرداروں اور ایسے دیگر اشخاص مقرر ہونگے جن کو ڈپٹی کمشنر زمیندار یا اس دیگر شخص کی جس کو ڈپٹی کمشنر نے اس کام پر لگایا ہو ۔ اس رپورٹ پر جو اس نے دیہی آبادی متعلقہ سے مشورہ لینے کے بعد پیش کی ہو مقرر کی جائے ۔ مگر شرط یہ ہے کہ ایسے مقرر کردہ اشخاص کی تعداد نمبرداروں کی تعداد کے ہو گی ۔	

rial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
214	ایکٹ ٹھیکری پہرہ ایکٹ ۱۹۳۲	دفعہ ۳	(۱) جس ڈپٹی کمشنر کی یہ رائے ہو ۔ کہ اس ضلع کے اندر کسی گاؤں میں — (الف) تحفظ عام کے لئے خاص تدبیر کی ضرورت ہے اور ۔ (ب) اس کے باشندوں کو خود بخود یا ڈپٹی کمشنر کی طرف سے ایسا حکم ملنے پر چوکی سپرد کا کافی انتظام نہیں کیا تو مجاز ہو گا ۔ کہ اس امر کا تحریری حکم دے کہ ایسی تاریخ سے جو حکم مذکور میں مقرر کرے ۔ موضع مذکور کے جملہ تناور یا بالغ مرد کو گشت کا کام انجام دینا ہو گا ۔	
		دفعہ ۴ (۱)	دیہی پنچایت کا تقرر دفعہ ۴ (۱) ۔ جب ڈپٹی کمشنر زیر دفعہ ۳ حکم صادر کریں گے تو وہ موضع کے لئے اگر موضع میونسپلٹی نہ ہو ایک دیہی پنچایت مقرر کرے گا ۔ (۲) دیہی پنچایت کی رپورٹ کے موصول ہونے پر	

			ڈپٹی کمشنر ان اشخاص کی تعداد مقرر کرے گا جو گشت کے کام کے لئے مطلوب ہوں گے - اور ان کے انتخاب کا طریق تجویز کرے گا - اور دیہی پنچایت کو اپنے فیصلہ سے مطلع کرے گا -	
			(۴) گشت کے کام کے لئے لوگوں کا انتخاب دیہی پنچایت ایسی تعداد میں اور ایسے طریق کے مطابق عمل میں لائے گا - جو ڈپٹی کمشنر مقرر کرے گا - مندرجہ ذیل اشخاص گشت کے کام سے معافی عطا کر سکتے ھیں :-	
		منشبات دفعہ ۴ دفعہ ۶	(الف) ڈپٹی کمشنر (ب) دیہی پنچایت بہ نسبت منظوری ڈپٹی کمشنر -	
		دفعہ (۷)	نگرانی کے متعلق ڈپٹی کمشنر کا اختیار دفعہ ۷ — ڈپٹی کمشنر کو اختیار ہو گا کہ وہ گشت کے کام کے لئے مطلوبہ اشخاص کی تعداد اور ان کے انتخاب کے طریق کو بدل دے اور یہ ھدایت کرے کہ گشت کا کام کل موضع کے رقبے میں یا اس کے کسی حصے میں انجام دیا جائے - اور عام طور پر گشت کے کام کے متعلق جملہ امور	

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214—concl.	ٹھیکری پہرہ ایکٹ ۱۹۴۲—تمام	دفعہ ۷—تمام	کا انتظام و نگرانی کرے گا - مگر شرط یہ ھے کہ انتخاب کا طریق تبدیل کرنے سے پیشتر ڈپٹی کمشنر پنچایت سے مشورہ کرے گا -	
		دفعہ (۸)	تفویضگی اختیارات—جائز ھے ڈپٹی کمشنر کسی اسسٹنٹ کمشنر یا کسی مجسٹریٹ درجہ اول کو اپنے بعض یا جملہ اختیارات زیر دفعہ ۴ یا ۶ یا ۷ ایکٹ ھذا تفویض کر دے -	
		دفعہ (۹) ۲ (۳)	عدم تعمیل کرنے والے اشخاص کے لئے سزا و جرمانہ دفعہ ۹ — (۲) جائز ھے کہ زیر ضمن نمبر ۱ عاید شدہ جملہ جرمانوں کو کلکٹر دیہی پنچایت کی درخواست پر معاملہ زمین کے بقایا کے طور پر موصول کرے - (۳) دیہی پنچایت کے صادرہ حکم سزا جرمانے کے خلاف کوئی اپیل نہ ہو سکے گا - لیکن کلکٹر حسب اقتضائے رائے خود مجاز ہو گا کہ جرمانہ کی وصول کا حکم دینے سے انکار کرے -	

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		دفعہ ۱۱	(۱) جب ڈپٹی کمشنر کی رائے میں کوئی مرضع یا اس کا کوئی حصہ جس کے متعلق حکم زیر دفعہ ۳ (الف) صادر کیا گیا ہو ۔ گشت کے کام کی مناسب انجام دہی کا انتظام کرنے سے قاصر رہا ہو ۔ جائز ہے کہ وہ تحریری حکم کے ذریعے موضع مذکور یا اس کے کسی حصے پر ایسا جرمانہ عاید کرے جو کہ ایک صورت میں ۱۰۰ روپے تک ہو سکتا ہے ۔ مگر شرط یہ ہے کہ ڈپٹی کمشنر زیر دفعہ ھذا جرمانہ عاید کرنے سے پہلے منادی کے ذریعے یا کسی اور طریق میں موضع کو دس دن کا نوٹس دے گا اور ان اعتراضات پر غور کرے گا جو اس کو موصول ہوں ۔ (۲) ڈپٹی کمشنر ایسی تحقیقات کرنے کے بعد جو وہ ضروری خیال کرے جرمانہ مذکور کو موضع کے باشندوں پر ایسی نسبت سے منقسم کرے گا ۔ جو وہ فرداً فرداً ان کے احتیاط کے لحاظ سے مناسب خیال کرے ۔	
215	ایکٹ تعید ارضیات ریاست بہاولپور ۱۹۰۸	دفعہ ٦	دفعہ ٦ — جب کسی قطعہ زمین کے لئے ایسی شرائط جاری ہو جائیں تو تہیہ گری کی درخواست پر حاکم اعلیٰ حال اس طریق پر جو دربار پیرا قواید تجویز کرے ۔ قطع مذکور یا اس کی جز	

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1	2	3	4	5
215—*contd*	ایکٹ تعید اراضیات ریاست بہاولپور ۱۹۰۸— جاری		کے لئے حقوق تعید کی ایک مثل مرتب کرے گا ۔ ایسی مثل میں بعد تکمیل مراتب مجوزہ دوبار ایک اقرارنامہ تعید شامل کیا جائے گا ۔ جس پر تعید گیر اور حاکم اعلیٰ دستخط کریں گے ۔ ایسے اقرارناموں میں جو جملہ شرائط مندرج ہوں گے جن پر حقوق کی تعید عطا کئے جائیں گے ۔	
		دفعہ ۷	دفعہ ۷— جب ایسے اقرارنامے پر اس طرح دستخط ہو جائیں جیسے کہ دفعہ ما سبق میں مراتب کی گئی ہے ۔ تو وہ شخص جس نے بطور تعید کر کے دستخط کئے ہوں ۔ اور اس کے جانشین مقدار باوجودیکہ اس نے کسی اور طرح پیشتر اس اراضی پر کوئی قوق حاصل کئے ہوں ۔ ایسے تصور کئے جاویں گے کہ انہوں نے ان شرائط کو قبول کر لیا ہے ۔ اور اقرارنامہ متذکرہ چھ (٦) میں درج ہیں اور وہ اراضیات متذکرہ اقرارنامہ مذکور میں پر بحیثیت تعید گیر منجانب ریاست قابض ہیں ۔	

		دفعہ ۱۰	(دفعہ ۱۰) عدالت دیوانی کو کسی ایسے امر کی سماعت کا اختیار نہ ہو گا - جس کو دربار یا حاکم اعلیٰ مال زیر ایکٹ ھذا یا قواعد زیر ایکٹ ھذا فیصل کرے - یا عمل میں لائے -	
215	شرائط تعید ارضیات ریاست بہاولپور ۱۹۰۸	دفعہ ۴ (۲)	(دفعہ ۴) تعید گیر اعلیٰ کو لازم ہو گا کہ تاریخ دخل سے پانچ سال کے عرصہ میں کم از کم ایک چہ پختہ واسطے آبپاشی اراضی تعید احداث کرے - (۲) حاکم اعلیٰ مجاز ہو گا - کہ اس شرط کی پابندی سے کسی ایسے رقبے کو بری کر دے جو اس کی رائے میں زیر صدمہ دریا ہو - (۳) اگر ایسے معتبر کی اراضی میں پہلے سے چہ موجود ہو - تو تعید گیر کو اس کی قیمت مجوزہ حاکم اعلیٰ مال ادا کرنی ہو گی - اور ایسی ادائیگی اور چاہے جاری ہونے پر سمجھا جائے گا - کہ اس نے اس شرط کو پورہ کر دیا -	
215	فوائد حصول اراضی تعید ریاست بہاولپور	قاعدہ نمبر ۲	قاعدہ نمبر ۲— جب درخواست افیسر کے پیش ہو جائے تو افیسر کو لازم ہو گا کہ وہ اس امر کی تحقیقات کرے - کہ شخص درخواست دھندہ کسی وجہ سے تعید کے حاصل کرنے کے	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
215	فوائد حصول اراضی تعید بہاولپور جاری — تمام	قاعدہ نمبر ۲	نا قابل تو نہیں ہے اگر شخص درخواست دھندہ افسر کی رائے میں نا اہل ثابت ہو - تو افسر اس کی درخواست کو نا منظور کرے گا - اور وجوہات ناقابلیت اپنے حکم میں لکھے گا - ایسے حکم کی نقل درخواست دھندہ کے زبانی یا تحریری درخواست پر بلا اجرت سادہ کاغذ پر اسی روز اس کو دے دی جائے گی - درخواست دھندہ مجاز ہو گا کہ حکم نا منظوری تحصیل دار صاحب ناظم کی چارہ جوئی افسر صاحب مال کی خدمت میں کرے - اور افسر صاحب مال کے حکم کی چارہ جوئی بخدمت ریونیو ممبر صاحب بہادر ہو گی - اور ان کے حکم کی نگرانی کونسل سماعت کرے گی -	
		قاعدہ نمبر ۸	قاعدہ نمبر ۸—ناظم صاحب اور افسر صاحب مال - بہادر مجاز ہونگے کہ وہ کسی ایسی مثل کے پہنچنے پر با موجودگی کسی وجہ موجبہ کے درخواست تعید نا منظور کریں اور با صورت ناظم صاحب یا	

			افسر صاحب مال ایسے حکم نا منظوری کی نقل درخواست دھندہ کے زبانی یا تحریری درخواست پر بلا اجرت سادہ کاغذ پر اسی زور اس کو دے دی جائے گی - اور اس حکم کی چارہ جوئی درخواست دھندہ افیسر بالا دست کے پاس کر سکے گا - اور بصورت قابل منظوری ہونے کے تعید کی مثل برائے منظوری دربار میں بھیج دی جائے گی -	
216	The Land Acquisition (Bahawalpur State Amendment) Act, 1954.	Section 3 ..	The exsting section 5 of the said Act shall, after oommitting its marginal heading, be re-numbered as sub-section (3) of section 4 and the following shall be substituted as section 5:— "5. *Notification that particular land is needed for a public purpose*—When the Government is satisfied after considering the result of the survey if any, made under section 4, sub-section (2) or if no survey is necessary at any time, that any particular land included in a locality notified under sub-section (1) of section, 4, is needd for a public purpose or for a company, a notification to that effect shall be published in the Official Gazette stating the district or other territorial division in which the land is situated, the purpose for which it is needed, its approximate area and situation and where a plan has been made of the land, the place where such plan may be inspected and the Collector shall cause public notice to be given of the substance of the notification at convenient places on or near the land to be acquired."	
		Section 6 ..	After section 12 of the said Act, the following shall be inserted as section 12-A:— "12-A. *Correction of mistakes*—Any clerical or arithmetical mistake in the award arising therein from any accidental slip or remission may at any time be corrected by the Collector either of his own motion or on the application of any of the parties.	
		Section 11 ..	The words" of be less than the amount awarded by the Collector under section 11 " occuring in subsection (1) of section 25 of the said Act shall be deemed to have been deleted."	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
216—*concld.*	The Land Acquisition Bahawalpur State Amenament Act, 1954—*concld.*	Section 12 ..	(1) The following shall be substituted for the existing sub-section (2) of section 35 of the said Act :— "(2) The Collector shall thereupon cause public notice of the substance of the direction to be given at convenient places in the locality in which the land is situated. Thereupon it shall be lawful for any officer either generally or specially authorised by Collector in this behalf and for the servants and workmen of such officer to enter upon and survey and take levels or any land in such locality." (2) The existing sub-section (3) of section 35 of the said Act shall be renumbered as sub-section (4) and the following shall be deemed to have been inserted as sub-section (3) of section 35. "(3) On receipt of plans detailing the land acquired, the Collector shall give notice in writing to the persons interested in such land of the purpose for which the same is needed and shall for the occupation and use thereof for such terms as aforesaid, and for the materials, if any, to be taken therefrom, pay to them such compensation, either in a gross sum of money or by monthly or other periodical payments as shall be agreed upon in writing between him and such persons, respectively."	
			(c) FORMER N.-W. F. P. ACTS.	
217	The N.-W. F. P. Redemption of Mortgages Act, 1935.	Section 4 ..	The mortgagor or any other person entitled to institute a suit for redemption, may at any time after the principal money becomes payable concerning which is a suit is not pending and before a suit for redemption is barred, present a petition to the Collector applying for an order directing that his mortgage be redeemed, and where the mortgage is with possession that he be put in possession of the mortgaged property. The petition shall be duly verified in the manner prescribed by law, for the verification of plaints, and shall state the sum which the petitioner declares to the best of his belief to be due under the mortgage. The petitioner shall at the same time deposit such sum with the Collector.	

		Section 5 ..	When the petition has been duly presented and the deposit has been made, the Collector shall issue to the mortgagee a summons to appear on a date to be therein specified. Every summons shall be accompanied by a copy of the petition, with the date of deposit endorsed thereon.	
		Section 6 ..	Where the mortgagee appears and the petitioner does not appear when the petition is called on for hearing the Collector shall, unless he adjourns the proceedings, make an order that the petition be dismissed, unless the mortgagee admits the claim, in which case the Collector shall make an order :— (a) that the mortgage be redeemed ; (b) that where the mortgage is with possession the mortgagor be put in possession of the mortgage property as against the mortgagee; (c) that the mortgagee deposit with the Collector the mortgage deed, if any, if then in his possession or power, and that it be delivered to the petitioner ; (d) that subject to the mortgage deed, if any, being so deposited by the mortgagee the sum in the deposit be paid to him: provided that no such order shall be made inconsistent with any conditions of the mortgage whereby a season or period of the year is fixed for redemption or for surrendering possession.	
		Section 7 ..	Where the petitioner appears, but the mortgagee does not appear, when the petition is called on for hearing, the Collector shall unless he adjourns the proceedings, inquire in a summary manner (a) whether the petitioner is entitled to redeem the mortgaged property and (b) whether the sum deposited by the petitioner is the sum rightly due under the mortgage. If the Collector is not satisfied that the petitioner is entitled to redeem, he shall dismiss the petition. If the Collector is satisfied that the petitioner is entitled to redeem and is of opinion that the sum deposited is the sum rightly due under the mortgage, he shall make an order as laid down in Section 6 (a), (b), (c) and (d) of this Act. If the Collector is satisfied that the petitioner is entitled to redeem but is of opinion that a sum larger than that in deposit is due under the mortgage, he shall fix a period not exceeding thirty days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of deposit. If the petitiner make such deposit within such period or such further period not exceeding thirty days, as the Collector may fix, the Collector shall make an order in manner as aforesaid.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
217—*contd.*	The N.-W. F. P. Redemption of Mortgages Act, 1935—*contd.*	Section 7—*contd.* ..	If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.	
		Section 8 ..	Where both parties appear when the petition is called on for hearing the Collector shall inquire from the mortgagee whether he admits that the petitioner is entitled to redeem, whether he is willing to accept the sum deposit in full discharge of the mortgage debt and where the mortgage is with possession whether he is willing to surrender possession of the mortgaged property. If the mortgagee replied in the affirmative, the Collector shall make an order as laid down in Section 6 (a), (b), (c) and (d) of this Act. If the mortgagee admits the petitioner's title to redeem, but demands payment of a sum larger than that in deposit, the Collector shall inquire from the petitioner whether he is willing to pay such larger sum, and if the replies in the affirmative, the Collector shall fix a period not exceeding thirty days within which the petitioner shall deposit the difference together with any further sum which may be due on account of interest up to the date of deposit. If the petitioner makes such deposit within such period of such further period not exceeding thirty days as the Collector may fix, the Collector shall make an order as laid down in Section 6 (a), (b), (c) and (d) above. If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.	
		Section 9 ..	If the mortgagee raises objection on any ground other than the amount of the deposit, or if the petitioners not willing to pay the sum demanded by the mortgagee, the Collector may either (a) for reasons to be recorded dismiss the petition, or (b) make a summary inquiry regarding the objection raised by the mortgagee or regarding the sum due.	

		Section 10 ..	If an inquiry regarding any objection so raised by the mortgagee, the Collector is of opinion that it bars demption or is a sufficient cause for not proceeding further with the petition, he shall dismiss the petition; but if he is not of that opinion, he shall unless he dismisses the petition under section 11, make an order as laid down in Section 6 (*a*), (*b*), (*c*) and (*d*) of this Act.	
		Section 11 ..	If on inquiry regarding the sum due to the Collector is of opinion that the sum deposited is the sum rightly due under the mortgage, he shall, unless he dismisses the petition under Section 10 make an order as laid down in Section 6 (*a*), (*b*), (*c*) and (*d*) of this Act, but if he is of opinion that sum larger than the sum deposited should be deposited by the petitioner, he shall unless he dismisses the petition under Section 10, fix a period not exceeding thirty days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of the deposit. If the petitioner makes such deposit within such period or such further period not exceeding thirty days, as the Collector may fix, the Collector shall make an order as laid down in Section 6 (*a*), (*b*), (*c*) and (*d*) of this Act. If the petitioner fails to make such deposit within period fixed the Collector shall dismiss the petition.	
		Section 13 ..	Notwithstanding anything in this section, a mortgagee against whom an *ex-parte* order under section 7 has been made or a petitioner whose petition has been dismissed in default under section 6 may apply to the Collector to have such order or dismissal set aside and the Collector may in his discretion set aside order of dismissal on such terms as to costs or otherwise as he may deem fit, provided that the order of dismissal shall not be set aside unless notice of the application has been served on the opposite party.	
		Section 14 ..	If the Collector dismisses a petition under this Act he shall order that the sum deposited by the petitioner be returned to him.	
		Section 16 ..	When the petitioner has deposited with the Collector the sum declared by him to be due on the mortgage, and such sum is accepted by the mortgagee, or is found by the Collector to be the sum actually due, interest on the mortgage shall cease from the date of the deposit. Where the Collector finds that a further sum is due and the petitioner deposits such further sum, interest shall cease from the date of such further deposit: Provided that nothing in this section shall be deemed to deprive the mortgagee of this right to interest when there exists a contract that he shall be entitled to reasonable notice before payment or tender of the mortgage money.	

PART I—*contd.*

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
217—*concld.*	The N.-W. F. P. Redemption of Mortgages Act, 1935—*concld.*	Section 16—*contd.*	Provided also that where a a suit is instituted under section 12, the court may pass such order as to interest as it deems fit.	
218	The North-West Frontier Province Motor Vehicles Taxation Act, 1936.	Section 11 ..	When a person neglects or refuses to pay an instalment of tax within one month from the expiration of the period fixed for such payment, the licensing officer may forward to the Collector a certificate under his signature specifying the amount of the arrears due from the person, and the Collector on receipt of such certificate shall proceed to recover from such person the amount specified therein as if it were an arrear of land revenue.	
..		Section 12 ..	Any person aggrieved by an order relating to the assessment, imposition or recovery of the tax or penalty may, within a period of 30 days from the date of such order appeal from such order to the Collector or if the Collector is the officer who passed such order then to the Revenue and Divisional Commissioner. The appellate order of the Collector or the Revenue and Divisional Commissioner (as the case may be) shall be final and conclusive.	
219	The North-West Frontier Province Hazara Forest Act, 1936.	Section 12(1) ..	Subject to the rights and powers of the Provincial Government in respect of seigniorage and forest conservancy as defined in this Act or in rules made thereunder, and subject also to the claims of right holders not being owners of the soil, all waste lands are the property held jointly or severally, as the case may be, of the land owners of the village in whose boundaries they are included; and such land owners are entitled to use free of charge of their own domestic and agricultural requirements any trees and forest produce found in these waste lands. But they shall have no right or power to sell any trees or brushwood growing in such lands except with the permission of the Deputy Commissioner or other officer authorised by the Provincial Government and under such conditions as the Deputy Commissioner may impose and all such sales shall be subject to payment to the Provincial Government of seigniorage fees as provided by section 27.	

		Section 12 (2) ..	The claims of right-holders other than land owners of the village shall be recognised to the extent defined and recorded at settlement, or in case of doubt or dispute, to the extent which may hereafter be defined by the Deputy Commissioner with the sanction of the Local Government and the exercise of such rights shall be subject to the provisions of this Act and the rules made thereunder.	
		Section 12 (3) ..	All deodar trees in Kanghan Ilaqa shall be deemed to be the property of State and nothing in this section shall be held to effect the right of the State thereto.	
		Section 13 (1) ..	Whenever it appears to be necessary to prohibit the breaking up for cultivation of waste land or its occupation as sites for sheds, buildings or enclosures in order to the better protection of— (a) the crests and slopes immediately below the crests of hills within the limits of tree vegetation, (b) catchment basins of streams, torrents or ravines, (c) the banks and beds of river, streams, torrents, and ravines, (d) steep slopes, (e) waste lands which, though not situated in any of the above positions, are nevertheless of such value of utility for the supply of forest-produce or otherwise that their breaking up or occupation would in the judgment of the Deputy Commissioner be inadvisable, the Deputy Commissioner may issue orders prohibiting the breaking up or occupation of such waste land, and defining the area to which such prohibition shall extend, and may cause the limits of such area to be shown on the village map and to be demarcated on the ground with boundary mark so far as may be necessary.	
		Section 13 (2) ..	All orders passed by the Settlement Officer under Section 11 of the Hazara Forest Regulation, 1893, at the second regular settlement of the Hazara district shall be deemed to be orders passed under this section.	
		Section 13 (3) ..	No such order as is referred to in sub-section (1) or sub-section (2) shall be cancelled by the Deputy Commissioner without the sanction of the Revenue and Divisional Commissioner, but the Deputy Commissioner may from time to time revise such orders by altering the boundary of the protected land so as to exclude any particular plot the protection to which may appear to be unnecessary.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
219—*contd.*	The North-West Frontier Province Hazara Forest Act, 1936—*contd.*	Section 14 (1) ..	If the Deputy Commissioner is of opinion that in any estate the supply of grass, trees or brushwood is not adequate for the present and prospective wants of the residents, he may direct that an area of waste land not exceeding one-fifth of the total uncultivated area of the estate shall be set apart in a convenient and suitable position, and may record a proceeding providing:— (a) for the prohibition within this area of all or any of the acts detailed in sub-section (1) of Section 9; (b) for the enjoyment of its produce by the residents of the estate and any other right-holders and for the due regulation of that enjoyment; (c) for the recovery of costs of management of the area from the said residents and right-holders.	
		Section 14 (2) ..	No compensation shall be claimable by the owners or other right-holders of such lands in respect of any orders, passed under this section.	
		Section 15 ..	If a person holding an individual property or such proportion of the land owners of the estate as pay no less than two-thirds of the land revenue thereon, make an application to the Deputy Commissioner requesting that a stated area of waste land owned individually or in common be set apart for the growth of trees, brushwood or grass, the Deputy Commissioner shall have power to proceed in respect of that area as provided in section 14.	
		Section 16 (1) ..	If the Deputy Commissioner is of a opinion that it is necessary to guard more securily against erosion or the formation or extention of ravines or landslips, he may issue special orders prohibiting within the area likely to be affected or that adjacent thereto all or any of the acts detailed in sub-section (1) of section 9, or permitting them on such conditions as he may see fit to impose.	
		Section 16 (2) ..	No compensation shall be claimable by the owners or other right-holders of such land in respect of any orders passed under this section.	
		Section (17 (1) ..	The Deputy Commissioner may appoint village forest officers to manage the forestry of waste lands and may issue general or special management orders to such officers for the prohibition of the barking, boring, girdling or otherwise injuring of tress or brush wood and for the regulation of the felling or lopping of trees or brushwood in such waste lands for village requirements.	

		Section 17 (2) ..	In case of any contravention of orders issued under sub-section (1) the Deputy Commissioner may direct that no trees be felled in the waste without the previous permission in writing of himself or of such officials as may be authorised by him in this behalf; and if permission to sell brushwood has been accorded he may cancel such permission.	
		Section 18 ..	The Deputy Commissioner may issue special order in writing permitting the firing of any waste lands within such limits and subject to such conditions as may be think fit.	
		Section 19 ..	Every village officer and village forest officer shall be bound to report any breaking of waste land protected under section 13 and any breach of any order passed under provisions of this Chapter as soon as the fact comes to his knowledge.	
		Section 20 ..	The Deputy Commissioner may cause to be summarily ejected any person cultivating land of committing any other act in contravention of an order passed under Section 13, Section 14, Section 15 or Section 16, and may direct that any building or enclosures erected or crop grown on such land in contravention of such order shall be confiscated.	
		Section 21 ..	Where waste land which has been recorded at settlement as 'shamlat' or common land or which has been specially reserved as a grazing ground or as a fuel or timber preserve of the village is broken into by cultivation, the Deputy Commissioner on the application of any right holder in the village or of his own motion, may eject the author of the encroachment and forbid its repetition by a proclamation published in like manner as a proclamation under section 22 of the Punjab Land Revenue Act, 1887.	
		Section 22 ..	Where the Deputy Commissioner permits the breaking up and cultivation of land in protected waste or where land has been broken up without his permission and he does not think it necessary or expedient to stop the cultivation thereof, he may impose on the land newly brought under cultivation an assessment at rates which shall not exceed double the rates on land of similar quality in the same or adjacent villages, and, in cases where application has been made for his sanction previous to the breaking up of the land, shall ordinarily not be higher than those rates.	
		Section 23 (1) ..	In the case of existing cultivation in dangerous positions on hill-sides, the Deputy Commissioner may require the owner or tenant of the lands so cultivated to protect it by a retaining wall or to take such other precaution to ensure the stability of the soil as he may deem necessary.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMAKRS
1	2	3	4	5
219—*contd.*	The N.-W. F.P. Hazera Forest Act, 1936—*contd.*	Section 23 (2) ..	Should the owner or tenant fail to comply with the requisition within a reasonable time and also persist in cultivating the land, the Deputy Commissioner may summarily eject him from so much of the land as may in danger and deal with it in accordance with the provisions of Section 16.	
		Section 23(3) ..	Similarly, the Deputy Commissioner may direct that any extension of cultivation after the date of the introrduction of the second regular settlement in dangerous positions on hill-side shall be protected by retaining walls, and may summarily eject the cultivators of such land if he fails to comply with the order.	
		Section 23(4) ..	No compensation shall be claimable by the owner or tenant of such land in respect of any order passed under this section.	
		Section 24(1) ..	Where after the date of the introduction of the second regular settlement land is brought into cultivation in dangerous positions or hill-sides and the slope is too steep to admit of the construction of retaining walls, the Deputy Commissioner may, if he is opinion that the prohibition of such cultivation is in the general interest of the village, eject the person cultivating and direct that the land remain uncultivated in future.	
		Section 24 (2) ..	No compensation shall be claimable by the person ejected in respect of any order passed under this section.	
		Section 25 ..	The cost of management of any waste land and of the demarcation of any waste land directed by the Deputy Commissioner to be demarcated in accordance with the provisions of the Chapter may be recovered from all land owners or and right holders concerned, as an arrear of land revenue.	

		Section 27 (1) ..	In the case of— (a) trees felled in reserved forests, (b) firewood supplied form the same, and (c) deodar trees felled in the waste lands of villages the Kaghan Ilaqa the, Forest officer shall credit to the Provincial Government as forest revenue the price realized by the sale of such trees or firewood and on the other hand debit to the Provincial Government and pay to the right-holders entitled thereto in such manner as the Deputy Commissioner may direct the seigniorage-fees due according to the list of such fees that is in force for the time being.	
		Section 27 (2) ..	Similarly, in the case of trees, which are sold from waste-lands, the Deputy Commissioner shall credit to the Provincial Government as forest revenue the seigniorage-fees and the balance of the price realised shall be paid to the right-holders entitled thereto: Provided that the trees referred to in this sub-section are of one or other of the kinds entered in the seigniorage-list which is in force for the time being.	
		Section 27 (5) ..	The fees may be uniform throughout the districts or varied in different parts thereof, but shall not exceed in any case a fair estimates of half the average net profits realisable on the sales.	
		Section 35 ..	In cases of illicit firing of any reserved forest or of repeated or serious damage thereto in contravention of any of the provisions of this Act or rules made thereunder, the Deputy Commissioner (wehther or not any punishment has been inflected under Section 9 or Section 36) may direct that the area so burnt or damaged and also the whole or any part of the area of the forest attaching to the village to wish the offender or offenders are proved or believed to belong shall be closed against all or any of the following acts, namey cattle grazing, grass-cutting, the felling and lopping of trees and the cutting and gathering of dead wood, for a period not exceeding one year or, with the sanction of Local Government for any longer period that may be thought fit.	
		Section 36 ..	In cases of a flagrant or habitual violation of any of the provisions of this Act or rules made thereunder the Deputy Commissioner (whether or not any punishment has been inflicted under section 26 or section 34) may, with the previous sanction of the Revenue and Divisional Com-Commissioner, direct that within the limits of the whole of the waste-land affected or of a specified portion thereof all or any of the following acts, namely, cattle-grazing, grass cutting, tree felling and the cutting and gathering of brushwood or any other kind of wood shall be totally prohibited for a period not exceeding one year or, with the sanction of the Local Government for any longer period that may be thought fit.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3	4	5
219—*contd.*	The North-West Frontier Province Hazara Forest Act, 1936. —*concld.*	Section 38 ..	In the cases of illicit cultivation in any reserved forest or protected waste-land (whether or not any punishment has been inflicted under Section 9 or Section 26), the Deputy Commissioner may demarcate the land so cultivated, and may suspend the exercise in such land of all rights therein for two years or for such longer time as may be necessary for the production of any trees, brushwood or turf that may have been destroyed in order to its cultivation.	
		Section 49 ..	The Local Government may invest any gazetted Forest Officer with all or any of the powers of a Deputy Commissioner under this Act and with all or any of the powers with which an Assistant Collector may be invested under the provisions of the Punjab Land Revenue Act, 1877: Provided that any Forest Officer invested with any powers under this section shall exercise such powers subject to the control of the Deputy Commissioner of the Hazara district.	
220	The North-West Frontier Province Prohibition Act, 1938.	Section 14 (2) ..	When an offence against this Act has been committed but the offender is not known or cannot be found, or when anything liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for the case shall be inquired into and determined by the Collector or other Prohibition Officer in charge of the district or any other officer authorised by the Provincial Government in that behalf who may order such confiscation: Provided that no such order shall be made until the expiration of fifteen days from the date of seizing the things intended to be confiscated or without hearing the persons, if any claiming any right thereto, and evidence, if any which they produce in support of their claims.	

		Section 18 ..	The Provincial Government or subject to the control of the Provincial Government, the Collector, may issue licences to any person or in respect of any institution whether under the management of Government or not, for the manufacture, export, import, transport, sale or possession of any liquor, intoxicating drug or article containing such liquor or drug on the ground that such liquor, drug or article is required by such person or in respect of such institution for a *bona fide* medicinal, scientific, industrial or such-like purpose.	
		Section 19 ..	With the previous sanction of the Provincial Government which may be accorded by general or special order, the Deputy Commissioner of the district may by an order in writing delegate to any executive officer, not below the rank of an Extra Assistant Commissioner, all or any of his powers or duties under this Act or the rules framed thereunder.	
		Section 22 (1) ..	The Collector may cancel or suspend any such licence or permit— (*a*) if any fee payable by the holder thereof be not duly paid; or (*b*) in the event of any breach by the holder of such licence or permit or by his servants or by any one acting with his express or implied permission on his behalf of any of the terms or conditions of such licence or permit; or (*c*) if the holder thereof is convicted of any offence against this Act, or of any cognizable and non-bailable offence, or (*d*) if the conditions of such licence or permit provide for its cancellation or suspension at will; or (*e*) if the purpose for which the licence or permit is granted ceases to exist.	
		Section 25 (1) ..	The Collector or other Prohibition Officer in charge of a district may constitute prohibition committees in every Sub-Division, Tehsil, Zail or other specified area thereof to assist him in carrying out the objects of this Act in the district.	
		Section 25 (2) ..	Every member of a prohibition committee shall observe the working of this Act in his Sub-Division, Tehsil, Zail or other specified area and report thereon and on every matter connected therewith at the prescribed intervals and at any other time he thinks fit, to the Collector or other Prohibition Officer aforesaid.	
		Section 27 ..	If any Collector, Prohibition Officer or Magistrate upon information obtained and after such inquiry as he thinks necessary, has reason to believe that an offence under sub-section (1) of Section 4 has been committed, he may issue a warrant for the search for any liquor, intoxicating drug, materials, still, utensils, implement or apperatus in respect of which the alleged offence has been committed. Any person who has been entrusted with the execution of such a warrant may detain and search, and if he thinks proper arrest any person found in the place searched, if he has reason to believe such person to be guilty of any offence under this Act:	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
220—*contd.*	The North-West Frontier Province Prohibition Act, 1938—*contd.*	Section 27—*contd.* ..	Provided that every person arrested under this section shall be admitted to bail by the person arresting, if sufficient bail be tendered for his appearance either before a Magistrate or before a Police or Prohibition Officer as the case may be. Before issueing such warrant, the Collector, Prohibition Officer or Magistrate shall examine the information on oath and the examination shall be reduced into writing in a summary manner and be signed by the informant, and also by the Collector, Prohibition Officer, or Magistrate.	
		Section 28 ..	Whenever a Collector, any Prohibition Officer not below such rank as the Provincial Government may determine, and police officer not below the rank of Sub-Inspector, any Officer-in-Charge of a Police Station, or any other paid or honorary officer authorised by the Provincial Government in this behalf has reason to believe that an offence under sub-section (1) of Section 4 has been committed and that the delay occasioned by obtaining a search warrant under Section 27 will prevent the executive thereof, he may, after recording his reasons and the grounds for his belief, at any time by day or night enter and search any place and may seize anything found therein, which he has reason to believe to be liable to confiscation under this Act; and may detail and search and, if he thinks proper, arrest any person found in such place whom he has reason to believe to be guilty of any offence under this Act: Provided that every person arrested under this section shall be admitted to bail by such officer as aforesaid if sufficient bail be tendered for his appearance either before a Magistrate or before a Police or Prohibition Officer as the case may be.	

		Section 29 ..	The Collector, any Prohibition Officer not below such rank as the Provincial Government may determine, or any police or other paid or honorary officer authorised by the Provincial Government in this behalf, may enter and inspect at any time by day or by night, any place in which it is reasonably suspected that any person carries on the manufacture of any liquor or any intoxicating drug, or stores any liquor or introxicating drug, and may enter and inspect, at any time, any place in which any liquor or intoxicating drug is reasonably suspected to be kept for sale by any person; and may examine, test measure or w igh any material, still, utensil, implement, apparatus, liquor or intoxicating drug found in such place.
		Section 30 ..	If any officer empowered to make an entry under sections 27, 28 or 29 cannot otherwise make such entry, it shall be lawful for him to break open any outer or inner door or window and to remove any other obstacles to his entry into any such place.
		Section 51 ..	The District Magistrate shall have power to transfer any case under this Act pending inquiry or trial before any Magistrate or Officer in the district to any other Magistrate or Officer therein.
221	The Kohat Mazri Control Act, 1938.	Section 4 ..	Subject to the prior sanction of the Provincial Government, the Collector shall have power to control the export of any other Mazri produce defined in section 2 of this Act from or through the Kohat District and shall have also powers to fix and control markets for the sale of such produce within the Kohat District to restrict or central dealings in such produce out side such markets and to levy on duty on Mazri exported from such markets at such rates as may be determined by the Collector from time to ime.
		Section 7 (1) ..	Subject to the approval of the Provincial Government, the Deputy Commissioner, may appoint village forest officers and may issue general or special management orders to such officers for prohibition of cutting or injuring of Mazri and for the regulation of the cutting and transporting Mazri in such areas for village requirements.
			(ii) In case of any contravention of orders issued under sub-section (*i*) the Deputy Commissioner may direct that no Mazri shall be cut in any area to which the provisions of this Act apply or are made applicable under section 1 (2) (i) without the previous permission in writing of himself or of such offiicials as may be authorised by him in this behalf; and if permission to remove Mazri has been accorded he may cancel such permission.

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	
222	N.-W. F. P. Agricultural Produce Market Act, 1939.	Section 8 ..	Subject to any rules made by the Provincial Government under the preceding section and with the previous sanction of the Deputy Commissioner or the district, a Market Committee may, in respect of the Market under the management, make bye-laws for the regulation of the business and the conditions of trading therein, and may provide that contravention thereof shall, on conviction by a Magistrate, be punishable with fine which may extent to fifty rupees.	
223	The N.W. F. P. Sales of Motor Spirit Act, 1939.	Section 5 (1) ..	Every retail dealer shall, within one month of this Act coming into force or of his starting business as a retail dealer, register himself as a retail dealer by an application made to the Collector of the district in which his place of business is situate or to any officer of the Excise or Revenue Department specially empowered by the Provincial Government in this behalf in such district and, on such registration, the Collector, or the officer so empowered shall grant him a registration certificate in such form and subject to such conditions as may be prescribed.	
		Section 13) ..	Every official employed by the Provincial Government, by any local body, or by the Court of Wards, every village headman, and village watchman shall give immediate information to the Collector of the commission of any offence or of the intention or preparation to commit any offence punishable under this Act which may come to his knowledge.	
		Section (16) ..	When anything has been seized by an officer exercising powers under section 15, such officer, after such inquiry as may be necessary—	
			(c) if no offence appears to have been committed shall return the thing to the person from whose possession it was taken and shall report to the Collector accordingly.	
		Section 20 (2) ..	When an offence under this Act has been committed and the offender is not known or cannot be found or when anything liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for, the Collector may enquire into and decide the case, and may order confiscation:	

			Provided that no such order shall be made before the expiration of one month from the date of seziure or without hearing the person, if any, who may claim any right thereto and the evidence, if any, which he produces in support of his claim.	
		Section 21 (1) ..	The Collector may accept from any person who has committed an offence punishable under this Act, by way of composition of such offence, a sum of money not exceeding one thousand rupees or a sum double the amount of the tax payable under section 3 in respect of any sales conducted by such person whichever is greater.	
		Section 21 (2) ..	On the payment of such sum of money to the Collector, the accused person shall be discharged, the property seized, if any, shall be released and no further proceedings shall be taken against such person or property in respect of such offence.	
		Section 22 (1) ..	No Magistrate shall take cognizance of any offence punishable under this Act— (*i*) except upon the complaint or report of the Collector, or (*ii*) except upon his own knowledge or suspicion.	
			APPEALS AND REVISION	
		Section 24 (1) ..	Any person aggrieved by any order under this Act, or rules made thereunder other than an order passed by a Criminal Court may appeal— (*a*) to the Revenue and Divisional Commissioner, if such order is passed by a Collector, and (*b*) to the Collector, if such order is passed by an officer or person exercising powers under this Act.	
		Section 24 (2) ..	Every order passed in appeal under this section shall subject to the powers of revision conferred by sub-section (3) be final.	
		Section 24 (3) ..	The Provincial Government or the Revenue and Divisional Commissioner, may at any time call for and examine the record of any order of, or the proceedings recorded by, any officer or person for the purpose of satisfying itself or himself as to the legality or proprietary of such order passed by or as to the regularity of such proceedings of, such officer or person and may pass such order in reference thereto as it or he thinks fit.	
		Section 24 (4) ..	The period of limitation in case of appeal to the Revenue and Divisional Commissioner will be sixty days and in case of that to the Collector 30 days. In either case such period shall again begin from the date on which an order under appeal is announced or communicated to the appellant.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
224	The N.-W. F. P. Sikh Religious Endowment Act, 1944.	Section 39 ..	If a Trustee or Custodian of any Gurdwara, Dharamsala or Sikh Endowment fails to pay the contribution to the Committee as laid down in section 13 within three months when it falls due, such contribution shall be recoverable by the Committee as arrears of land revenue on application made to the Collector.	
225	The N.-W. F. P. Prevention of Hindus Bigamous Marriages Act, 1946.	Section 8 ..	Notwithstanding anything contained in section 190 of the Code of Criminal Procedure 1898, no court other than that of a District Magistrate or a Magistrate of the First Class shall take cognizance of or try any offence punishable under section 6 or 7 of this Act.	
226	The N.-W. F. P. Weight and Measure Act, 1947.	Section 8 (*i*) ..	The secondary standards shall be kept— (*b*) elsewhere by the Deputy Commissioners in Government treasuries at the headquarters town of their respective districts and at such other towns or places within their respective districts as Government may direct.	
227	The N.-W .F. P. New Motor Vehicles Sales Act, 1947.	Section 5 (1) ..	Every dealer shall, within one month of the coming into force of this Act, or of his starting business as a dealer register himself as a dealer by an application made to the Collector of the District in which his place of business is situate or to any officer of the Excise or Revenue Department specially empowered by the Provincial Government in this behalf in such district on such registration the Collector, or the officer so empowered shall grant him a registration certificate in such form and subject to such conditions as may be prescribed.	
		Section 14 ..	When anything has been seized by an officer exercising powers under section 13 such officer, after such inquiry as may be necessary— (*b*) if it appears that such thing is liable to confiscation but is not required as evidence, as aforesaid, shall send the thing with a report of the particulars of the seizure to the Collector;	

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
		Section 14—*concld.*	(*c*) if no offence appears to have been committed shall return the thing to the person from whose possession it was taken and shall report to the Collector accordingly.	
		Section 16 (2) ..	When an offence under this Act has been committed and the offender is not known or cannot be found or when anything liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for, the Collector may enquire into and decide the case, and may order confiscation; Provided that no such order shall be made before the expiration of one month from the date of seizure of without hearing the person if any who may claim any right thereto and the evidence, if any, which he produces in support of his claim.	
		Section 17 (1) ..	The Collector may accept from any person who has committed an offence punishable under this Act, by way of composition of such offence, a sum of money not exceeding one thousand rupees or a sum double the amount of the tax payable under section 3 in respect of any sales conducted by such person, whichever is greater.	
		Section 17 (2) ..	On the payment of such sum of money to the Collector, the accused person shall be discharged, the property seized, if any, shall be released and no further proceedings shall be taken against such person or property in respect of such offence.	
		Section 18 ..	No Magistrate shall take cognizance of any offence punishable under this Act except upon the complaint or report of the Collector, or any officer specially authorised in this behalf.	
		Section 20 (1) ..	Any person aggrieved by any order under this act or rules made thereunder other than an order passed by a Criminal Court may appeal— (*a*) to the Revenue and Divisional Commissioner, North-West Frontier Province, if such order is passed by a Collector, and (*b*) to the Collector, if such order is passed by an officer or person exercisinrg powers under this Act.	
		Section 20 (2) ..	Every order passed in appeal under this section shall, subject to the powers of revision conferred by sub-section (3), be final.	
		Section 20 (3) ..	The Provincial Government or the Revenue and Divisional Commissioner may, at any time, call for and examine the record of any order of, or the proceedings recorded by any officer or person or the purpose of satisfying itself or himself as to the legality or propriety of such order passed by, or as to the regularity of such proceedings of such officer or person and may pass such order in reference thereto as it or he thinks fit.	

Serial No.	Act/Regulation	Section	Nature and extent of powers	Remarks
1	2	3		5
227—*contd.*	The N. W. F. New Motors Vehicles Sales Act, 1947 *contd.*—	Section 20 (4) ..	The period of limitation in case of appeal to the Revenue and Divisional Commissioner will be sixty days and in case of that to the Collector 30 days. In the either case such period shall begin from the date on which an order under appeals announced or communicated to the appellant.	
228	The Kabul River Project Control and Prevention of Speculation in Land Act, 1948.	Section 3 (2) ..	The Collector so appointed shall perform such duties and exercise such powers as may be prescribed for the purpose of carrying into effect the provisions of this Act and the rules made thereunder	
		Section 3 (3) —	Every such Collector and every member of his staff appointed to assist him shall be deemed to be a "public servant" within the meaning of section 21 of the Indian Penal Code.	
		Section 5 ..	No alienation of any land in the project area made by any owner, his agent, assignee or attorney on or after the 1st day of December 1947, and until the commencement of this Act, shall be effective so as to confer any right or remedies on the party to such transfer or any person claiming under him, unless such transfer is proved to the satisfaction of a Collector to be *bona fide*, for a reasonable price and not speculative in character.	
		Section 6 (*a*) ..	The Collector shall value all lands in the project area at the average price of such land prevailing during the five years commencing from the first of January 1934, and ending with 31st of December 1938.	
		Section 6 (*b*) ..	For the purpose of determining the value, the Collector shall consider the following among other matters as evidence of such value:— (*i*) the price or value actually received by the vendors from the vendees in the sale of project lands during the said five years; (*ii*) the estimated amount of the average annual net assets of the land; (*iii*) the land revenue assessed upon the land; and	

			(iv) the value of land as shown in mortgagees during the said five years.	
		Section (c) ..	Subject to the provisions of the next succeeding sections valuation fixed by the Collector shall be final and shall not be called in question in any civil, revenue or criminal court.	
229	The N.-W. F. P. Cloth Sales 1948.	Section 4 ..	(ii) All importers shall within 10 days of the receipt of goods declare to the Deputy Commissioner of the District in which the goods are imported, the details of the goods received, their cost and retail sale price, each supported by a documentary proof.	
		Section 4 ..	(iv) No dealer shall sell or otherwise dispose of any cloth before the sale tax thereon has been paid to Government, except with the special permission in writing of the Deputy Commissioner of the District conversed in each case.	
		Section 7 ..	No Magistrate shall take cognizance of any offence punishable under this Act except upon the complaint or report of the Deputy Commissioner or any officer specially authorised in this behalf by the Provincial Government.	
230	The N.-W. F. P. Procurement of Foodgrains Act, 1946.	Section 3 ..	The Collector of each district shall assess the average yield of foodgrains per jarib on the various classes of land situate within his district, such as Nehri, Chahi, Rod Kohi and Barani.	
		Section 4 ..	Landlords and tenants shall surrender to the Government or their authorised representative, by a date or within a period, to be fixed by the Collector or any officer authorised by him in this behalf, by a general or special order, made in respect of a person or a class or group of persons inhabiting a particular locality, at places to be specified by the Collector or such officer, such proportion by the yield as the Government may by a notification assess on all holdings in excess of the areas specified hereunder:— (a) When the land is cultivated by the owner (Khud Kasht)— (1) 10 Jaribs "Nehri" , "Abi" or other irrigtated land. (2) 15 Jaribs "Barani". (b) When the land is cultivated by tenant:— (1) 20 Jaribs "nahri," "abi" or other irrigated land. (2) 30 Jaribs "barani". In the case of land which is not "Khud Kasht" the quantity of grain to be sold to the Government by the landlord and tenant respectively shall be in the ratio in which the produce is divided between them.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
2:0—contd.	The N. W. F. P. Procurement of Foodgrains Act, 1948—concld.	Section 7 ..	When the rent is paid in cash, grain will be recovered from the tenant only at the scale notified after making a allowance for the rent paid to the landlord or lessor, provided that in the case of a general order effecting more than one person due publicity should be given to the order by such means as the Collector or any officer acting under his discretions may consider proper. Reductions may be permitted by the Collector in the quantity of grain due to be sold to the Government under section 2:— (a) In regard to crops which have not matured to the normal level, according to the principles governing the assessment of fluctuating Land Revenue. (b) For the maintenance of hujras and religious institutions.	
		Section 9 ..	Every order passed, assessment made or directions given by the Government or the Collector, under the this Act shall be final and shall not be called in question in any civil, revenue or criminal court.	
		Section 10 ..	The Collector or any officer authorised by him in this behalf by a special or general order together with such persons to assist him as he may deem necessary may enter upon and inspect any land or building in connection with the enforcement of these provisions.	
		Section 11 ..	The Collector or any officer authorised by him in this behalf by a special or general order may seize any foodgrains wherever it may be, which has been, or which he has reason to believe is likely to be sold or otherwise transferred or dealt with against the provisions of section 4 and cofiscate it to the Government.	
		Section 12 ..	The Collector of any officer appointed by him by a special or general order may by an order in writing require any landlord or tenant to furnish information in regard to grain in his possession.	

231	The N.-W. F. P. Agricultural Income Tax Act, 1948.	Section 3 (1) ..	Subject to the rules that may be framed in this behalf under section 9, the tax shall be assessed by the Collector of the district where the land to be taxed is situate; but in case a person is an owner of land in more than one district, the assessment shall be made by the Collector of the district within which such person ordinarily resides, or if he has no such residence in the Peshawar and Dera Ismail Khan Divisions by the Collector of the District within which such person pays the largest amount of land revenue.
		Section (3) ..	The tax shall be paid in one or more instalments.
			"ASSESSMENT OF PERSON OWNING LANDS IN MORE THAN ONE ESTATES
		Section 5(1) ..	Every person who is or becomes an owner of land within the meaning of this Act, in more than one estate, and is or becomes liable therefor to the payment of land revenue to an amount exceeding two hundred and fifty rupees, shall submit full particulars of such land to the Collector who is to make the assessment, and where such estates are suitate in more than one district, he shall further more intimate to the Collectors of all the other districts within which such estates are situate the fact of his having so submitted full particulars.
			These particulars shall be submitted and the intimation given within 60 days of the commencement of the North-West Frontier Province Agricultural Income Tax (Amendment) Act, 1953 or of the such persons so becoming liable, whichever period expires later.
			Provided that in case a land owner had already submitted these particulars before the coming into force of the North-West Frontier Province, Agricultural Income Tax (Amendment) Act, 1953, he shall not be required to submit these particulars over again, but he shall give the intimation required under this sub section.
		Section 5(2) ..	The Collector who is to make the assessment may at any time by order in writing to be served by registered post, call for such statement from any person whose case is, in the opinion of the Collector, covered by this section and the said person shall be bound to comply with the orders within such time being not less than thirty days as may be fixed in the notice.
		Section 5(3) ..	If the person to whom such notice is issued fails to comply with it, the Collector may assess him in tax under this Act, without such statement to the best of his knowledge.
		Section 7 ..	Any transfer of land or of an interest therein effected after the 15th of August 1947, which in the opinion of the Collector was intended to evade the tax shall be ineffectual for the purposes of this Act, and the tax assessed on such land shall be payable by the persons who would have been liable for its payment if no such transfer had been effected or by his successor-in-interest.

Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
232	The N.-W.F.P. (Adolescent) Prisoner's Release on Probation Act, 1948.	Section 6(1) ..	The Provincial Government may met, at any time for reasons to be recorded in writing, revoke a licence granted under the provisions of section 2 :	
			Provided that no licence shall be revoked on the ground of the breach of a conditions of the licence without giving an opportunity to the person concerned to represent his case before the District Magistrate of the district in which he is residing at the time.	
233	The N.-W. F. P. Pre-emption Act, 1950	Section 30(1)	The court shall send to the Deputy Commissioner a copy of every original decree granting pre-emption , other than a decree granting pre-emption in respect of a building or site of a building in a town or sub-division of a town, and the Deputy Commissioner may within two months from the date of the receipt of such copy, apply to the court to which the appeal in the pre-emption suit would lie, or, if no appeal lies, to the District Court for revision of the decree on the ground that the decision of the court of first instance is contrary to the provisions of the Punjab Alienation of land Act, 1900.	
334	The N-W.F.P. New Irrigation Projects (Control and Prevention of Speculation in Land) Act, 1950.	Section 3(1) ..	The Provincial Government may, by notification in the official gazette appoint either by name or as holding any office for the time being a Collector for any project area.	
		Section ..	The Collector so appointed shall perform such duties and exercise such powers as may be prescribed for the purposes of carrying into effect the Provisions of this Act and the rules made thereunder.	
		Section 5 ..	No alienation of any land in the project are made by any owner, his agent, assignee or attorney on or after the 15th August 1947 and until the commencement of this Act, shall be effective so as to confer any right or remedies on the party to such transfer or any person claiming under him, unless such transfer is proved to the satisfaction of the Collector to be *bona-fide*, for a reasonable price and not speculative in character.	

		Section 6 ..	(a) The Collector shall value all lands in the project area at the average price of such land prevailing during the five years commencing from the first of January 1934, and ending with 31st December 1938. (b) For the purpose of determining the value, the Collector shall consider the following among other matters as evidence of such value:— (*i*) the price or value actually received by the vendors from the vendees in the sale of project lands during the said five years; (*ii*) the estimated amount of the average annual net assets of the land; (*iii*) the land revenue assessed upon the land; and (*iv*) the value of land as shown in mortgages during the said five years. (c) Subject to the provisions of the next succeeding sections valuation fixed by the Collector shall be final and shall not be called in question in any civil, revenue or criminal court.	
235	N.-W.F.P. Sugar Factories Control Act, 1950 ..	Section 19(1) ..	Where the occupier of a Factory is a firm or other association of individuals, any one of the individual partners or members thereof may be prosecuted and punished under this Act for any offence for which the occupier of the Factory is punishable. Provided that the firm or association may give, notice to the Collector that it has nominated one of its members to be the occupier of the factory for the purposes of this Act, and such individuals shall be deemed to be the occupier for the purposes of this Act until further notice cancelling his nomination is received by the Collector or until he ceases to be a partner or member of the firm or association.	
		Section 19(2) ..	Where occupier of a factory is a company, any one of the directors thereof, or, in the case of a private company, any one of the share-holders thereof, may be prosecuted and punished under this Act for any offence for which the occupier of the factory is punishable : Provided that the company may give notice to the Collector that it has nominated a director, or, in the case of a private Company a share-holder, to be the occupier of the factory for the purposes of this Act and such director or shareholder shall be deemed to be the occupier of the factory for the purposes of this Act, until further notice cancelling his nomination is received by the Collector or until he ceases to be a director or share-holder.	

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Serial No.	Act/Regulation	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
235	N.-W.F.P., Sugar Factories Control Act, 1950—*concld.*	Section 22 ..	(i) No prosecution shall be instituted under this Act, except upon a complaint made by or under the authority from the Collector or Cane Commissioner. (ii) On the application of a person accused of an offence under this Act, the Cane Commissioner or the Collector may with the previous approval of the Provincial Government compound such offence by levying a composition fine not exceeding two times the fine which could be imposed for such offence at any stage before conviction. (iii) No court inferior to that of a magistrate of the 1st Class shall try any offence under this Act or any order or rule made thereunder.	
236	The N.-.W F. P. Tenancy Act, 1950.	Section 15(1) ..	Wherever the payment of the whole or any part of the land revenue payable in respect of any land is remitted or suspended, a Revenue Officer, may, if the rent be payble in cash or the rent be payable in kind of which the amount is fixed by order remit or suspend, as the case may be, the payment of the rent of that land to an amount which may bear the same proportion to the whole of the rent payable in respect of the land as the land revenue of which payment has been remitted or suspended bears to the whole of the land revenue payable in respect of the land. When the payment of the rent of any land has been suspended under this clause it shall remain under suspension until the Collector orders the revenue of that land to be realized.	
		Section 15 (2) ..	An order passed under sub section (1) shall not be liable to be contested by suit in any Court.	
		Section 15 (7) ..	Any sum of which the recovery is ordered under sub section (6) on account of rent or penalty may be recovered by the Collector as if it were an arrear of land revenue.	

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		Section 48 (1) ..	The following applications and proceedings shall be disposed of by the Revenue Officers as such, and no court shall take cognizance of any dispute or matter with respect to which any such application or proceedings might be made or had:— *First Group* (a) proceedings relating to the remission and suspension of rents under section 15; (b) applications under section 26 for the ejectment of a tenant against whom a decree for an arrear or rent in respect of his tenancy has been passed and remains unsatisfied ; (c) applications under section 28 sub section (6) for the ejectment of a tenant on whom a notice of ejectment has been served and who has not instituted a suit to contest his liability to be ejected but has claimed compensation under section 43 . (d) application by landlords for possession of land, the right of occupancy in which has become extinct. (e) proceedings with respect to the award of compensation for improvements or disturbance; *Second Group* (f) applications under section 28, subsection (6) for the ejectment of a tenant on whom a notice of ejectment has been served and who has not instituted a suit to contest his liability to be ejected and has not claimed compensation under section 43. (g) applications for the determination :— (*i*) under section 32 of the rent payable for land occupied by crops uncut or ungathered at the time of an order being made for the ejectment of a tenant; or (*ii*) under section 32 or section 46 of the value of such crops or of the sum payable to the tenant for labour and capital expended by him in preparing land for sowing; *Third Group* (h) applications under section 16 by tenants to deposit rent;	

Serial No.	Act/Regulations	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
236	The N.-W. F.P., Tenancy, Act, 1950—*contd.*		(i) applications under section 21 of service of notice of relinquishment; (j) applications under section 26 for service of notice of ejectment ; (2) Except as otherwise provided by any rule made by the Revenue and Divisional Commissioner in this behalf :— (a) a Collector or an Assistant Colleector of the first grade may dispose of any of the applications and proceedings mentioned in subsection (1) :	
		Section 49(3) ..	The following suits shall be instituted in and heard and determined by Revenue Courts, and no other Courts shall take cognizance of any such dispute or matter with respect to which any suit might be instituted:— Provided that:— (*i*) Where in a suit cognizable by an instituted in a Civil Court it becomes necessary to decide any matter which can under this subsection be heard and determined only by a Revenue Court, Civil Court shall endorse uponthe plaint the nature of the matter for decision and the particulars require by Order VII, rule 10 Civil Procedure Code and return the plaint for presentation to the Collector : (*ii*) On the plaint being presented to the Collector the Collector shall proceed to hear and determine the suit where the value thereof exceeds Rs. 1,000 or the matter involved is of the nature mentioned in section 49(3) First Group of the North-West Frontier Province Tenancy Act, 1950 and in other cases may send the suit to an Assistant Collector of the 1st grade for decision. *First Group* (a) suits between landlord and tenant for addition to or abatement of rent under section 13 or for commutation of rent :	

			(b) suits under section 19 for the determination of rent or other sum on the expiration of the term of an assessment of land revenue and suits relating to the rent to be paid under a mortagage made in accordance with Form (c) as prescribed by section 6 of the Punjab Alienation of Land Act 1900.	
			Second Group	
			(c) suits by a landlord to eject a tenant;	
			(d) suits by a tenant under section 8 to contest lia lity to ejectment when notice of ejectment has been served.	
			(e) suits by a tenant under section 33 for recovery of possession or occupancy, or for compensation or for both;	
			(f) any other suits between landlord and tenant arising out of the lease or conditions on which a tenancy is held ;	
			(g) suits for sums payable on account of village expenses ;	
			(h) suits by a co-sharer in an estate or holding for a share of the profits thereof or for a settlement of accounts;	
			(i) suits for the recovery of over payments of rent or land revenue or of any other demand for which suits lies in a Revenue court under sub-section ;	
			(j) suits relating to the emolument of kanungos, zaildars, inamdars or village officers;	
			Third Group	
			(k) suits by a landlord for arrears of rent or the money equivalent of rent, or for sums recoverable under Section 7;	
			(l) suits by a landowner to recover moneys claimed as due for the enjoyment or rights in or over land or in water including rights or irrigation, right over fisheries, rights of pasturage and forest right;	
			(m) suits for sums payable on account of land revenue or of any other demand recoverable as an arrear of land revenue under any enactment for the as time being in force and by a superior land owner for other sums due to him such.	

Serial No.	Act/Regulations	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
236	The N.-W. F.P., Tenancy Act, 1950—*contd.*	Section 49(4) ..	Except as otherwise provided by any rule made by the Revenue and Divisional Commmissioner in this behalf: (a) a Collector may hear and determine any of the suits mentioned in sub-section (3).	
		Section 50(1) ..	The general superintendence and control over all other Revenue Officers and Revenue courts shall be vested in, and all such officers and courts shall be subordinate to the Revenue and Divisional Commissioners.	
		Section 50 (2 ..	Subject as aforesaid a collector shall control all other Revenue Ocers and Revenue courts in his District.	
		Section 51 (1) ..	The Revenue and Divisional Commissioner or collector may by a written order distribute, in such manner as he thinks fit, any business cognizance by any Revenue Officer or Revenue court under his control.	
		Section 51 (2)	The Revenue andDivisional Commissioner or Collector may withdraw any case pending before any Revenue Officer or Revenue court under his control and either dispose of it himself, or by written order refer it for disposal to any other Revenue Officer or Revenue Court under his control.	
		Section 52 ..	Subject to the provisions of this Act, and the rules thereunder an appeal shall lie from and original or appellant order or decree made under this Act by a Revenue Officer or Revenue court, as follows, namely:— (a) to the Collector when the order of decree is made by an Assistant Collector of either grade. (b) to the Revenue and Divisional Commissioner when the order or decree is made by a Collector.	

			Provided that when an original order or a decree if confirmed on first appeal, a further apeal shall not lie.	
		Section 54(1) ..	A Revenue Officer, as such may either of his own motion or on the application of any party interested review and on so reviewing modify, reverse or confirm any order passed by himself or confirm any order passed by himself or by any of his predecessors in office: Provided as follows:— (a) when a Collector thinks it necessary to review any order which has not himself passed and when the Revenue Officer of a class below that of the Collector proposes to review any order whether passed by himself or by any of his predecessors in office, he shall first obtain the sanction of the Revenue Officer to whose control he is immediately subject;	
		Section 56 ..	The Revenue and Divisional Commissioner may at any time call for the record of any case pending before, or disposed of by, any Revenue Officer or Revenue Court subordinate to him.	
		Section 56(2) ..	A Collector may call for the record of any case pending before, or disposed of by, any Revenue Officer or Revenue court under his control.	
		Section 56(3) ..	If in any case in which a Collector has called for a record he is of opinion that the proceedings taken or the order or decree made should be modified or reversed, he shall submit the record with his opinion on the case for the orders of the Revenue and Divisional Commissioner.	
		Sebtion 56(4) ..	If, after examining a record called for by himself under sub-section (1) or submitted to him under sub section (3) the Revenue and Divisional Commissioner is of opinion that it is inexpedient to interfere with the proceedings or the orders or decree, he shall pass an order accordingly.	
		Section 56(5) ..	If, after examining the record, the Revenue and Divisional Commissioner is of the opinion that it is expedient to interfere with the proceedings or the order or decree on any ground on which the Judicial Commissiner, in the exercise of its revisional jurisdiction, may under the law for the time being in force. interfere with proceedings or an order or decree of a Civil Court, he shall fix a day for hearing the case, and may, on that or any subsequent day to which he may adjourn the hearing or which he may appoint in this behalf pass such order as he thinks fit in the case.	

Serial No.	Act/Regulation	Section	Nature and extent of power	REMARKS
1	2	3	4	5
236	The N.-W.F.P. Tenancy, Act 1950—*contd.*	Section 56(6) ..	Except when the Revenue and Divisional Commissioner fixes under sub-section (5) a day for hearing the case no party has any right to be heard before the Revenue and Divisional Commissioner when exercising his powers under this section.	
		Section ..	If the Presiding Officer of a Civil or Revenue Court in which a suit has been instituted doubts whether he is precluded from taking cognizance of the suit, he may refer the matter through the District Judge or Collector, or, if he is a District Judge or Collector, directly to the Judicial Commissioner.	
		Section 77 (1) ..	The Provincial Government may by notification confer on any person :— (a) all or any of the powers of a Revenue and Divisional Commissioner or Collector under this Act, or (b) all or any of the powers with which an Assistant Collector of either grade is, or may be, invested thereunder, and may by notification withdraw any powers so conferred.	
		Section 77(2) ..	A person on whom powers are conferred under sub-section (1) shall exercise those powers within such local limits and in such classes of cases as the Provincial Government may direct and, except as otherwise, directed by the ProvincialGovernment shall for all purposes connected with the exercise thereof be deemed a Revenue and Divisional Commissioner, Collector or Assistant Collector, as the case may be.	
		Section 77(3) ..	If any of the powers of a Collector under section 50, section 51, section 52 or section 54 are conferred on an Assistant Collector they shall unless the Provincial Government by special order otherwise directs, be exercised by him subject to the control of the Collector.	

237	The N.-W.F.P. Restitution of Mortgaged Lands Act, 1950	Section 4 ..	A mortgagor to whose land the provisions of this Act apply, may at any time, present a petition to the Collector praying for restitution of possession of the land mortgaged. The petition shall be duly verified in the manner prescribed for such petitions.	
		Section 5 ..	On receipt of such petition the Collector, after such enquiries as may be prescribed, shall record an order in writing with reasons stating whether the mortgage in question is one to which this Act applies.	
		Section 6 ..	If the Collector finds that the mortgage is one to which this Act does not apply, he shall dismiss such petition.	
		Section 7 ..	If the Collector finds that the mortgage is one to which this Act applies, he shall notwithstanding anything contained in any contract or decree or order of any court or any enactment for the time being in force order in writing:— (a) that the mortgage shall be extinguished without payment of mortgage money ; (b) in case of an express contract for improvements the mortgagee shall be entitled to compensation for improvement made by him ; and (c) where the mortgagees is still in possession that the mortgagor be put into possession of the mortgaged land as against the mortgagee and that the title deed, if any, be restored to the mortgagor.	
		Section 9 ..	The Collector may after declaring the rights of the mortgagee extinguished, eject the mortgagee and order delivery of possession of the mortgaged land to the mortgagor. In case of resistance the Collector may exercise all the powers conferred on a civil court by Rules 97 and 98 of Order 21 of the Civil Procedure Code 1908.	
338	The N.-W.F.P. Qaumi Razakars Act 1952.	Section (2) ..	The District Magistrate in any district may constitute for the district, a body to be called the Qaumi Razakars, the members of which shall discharge such functions in relation to the maintenance of law and order, the work of national reconstruction and the organisation of the internal defence of the country as may be assigned to them in accordance with the provisions of this Act and the rules made thereunder.	
		Section (3) ..	The District Magistrate may appoint as members of the Qaumi Razakars so many persons who are fit and willing to serve as such, as he is authorised by the Provincial Government to appoint and may appoint any such members to any office of command in the Quami Razakars.	

Serial No.	Act/Regulation	Section	Nature and extent of power	Remarks
1	2	3	4	5
238—*concld.*	The N.-W. F. P. Qaumi Razakars Act 1952—*concld.*	Section 4 ..	The District Magistrate may at any time call out by a general or a special order published in such manner as may be prescribed by the rules under section 11, a member or members of the Qaumi Razakars for training or to discharge any of the functions assigned to the Qaumi Razakars in accordance with the provisions of this Act and the rules made thereunder.	
		Section 8 ..	No prosecution shall be instituted against any member of the Quami Razakars for any thing done or purporting to be done by him in discharge of his functions as such member, except with the previous sanction of the District Magistrate.	
		Section 9 ..	The District Magistrate or any other authority authorised in this behalf under the rules, may, by an order in writing, dismiss summarily from the Qaumi Razakars any member thereof, if in the opinion of the District Magistrate or such other authority, he fails to discharge satisfactorily his duties as such member or is guilty of misconduct in the discharge of his duties as such members, or his continuance as a member of the Quami Razakars is otherwise undesirable.	
239	The N.-W.F.P. Tenants (Rural Housing) Protection Act, 1952	Section 6 ..	Any party aggrieved by an order of the Revenue Officer passed under section 5 may appeal to the Collector of the District who shall deal with the appeal in accordance with the procedure contained in the North-West Frontier Tenancy Act, 1950.	
		Section 7 ..	The Revenue and Divisional Commissioner may, either on his own motion or on the application of a party aggrieved by the order passed by the Collector on appeal under this Act, call for the record of such case and after hearing both the parties pass such order as he may deem just.	
240	The N.-W.F.P. Town Improvement Act, 1954.	Section 4 ..	On the admission by the Trust of any such application, it shall forthwith inform the Collector, and the Collector shall thereupon stay for a period of three months all further proceedings for the acquisition of the land, and	

			the Trust shall proceed to fix the sum in consideration of which the acquisition of the land may be abandoned.	
		Section 5 ..	Within the said period of three months, or with the permission of the Trust, at any time before the Collector has taken possession of the land under section 16 of the Land Acquisition Act, 1894, the person from whom the Trust has agreed to accept the sum so fixed may if the Trust is satisfied that the security offered by him is sufficient, execute an agreement with the Trust, either— (*i*) to pay the said sum three years after the date of the agreement, or (*ii*) to leave the said sum outstanding as a charge on his interest in the land subject to the payment of interest at a rate to be agreed upon by such person and the Trust until the said sum has been paid in full and to make the first annual payment of such interest four years after the date of the agreement: Provided that the Trust may, at any time before the Collector has taken possession of the land under section 16 of the Land Acquisition Act, 1894, accept immediate payment of the said sum instead of an agreement as aforesaid.	
		Schedule paragraph 8 ..	Amendment of section 11 of Land Acquisition Act 1894— The full-stop at the end of section 11 of the said Act shall be deemed to be changed to a semi-colon, and the following shall be deemed to be added, namely :— (*iv*) the costs which in his opion, should be allowed to any person who is found to be entitled to compensation and who is not entitled to receive the additional sum of fifteen per centum mentioned in sub-section (2) of section 23, as having been actually and reasonably incurred by such person in preparing his claim and putting his case before the Collector. "The Collector may disallow, wholly or in part, costs incurred by any person if he considers that the claim made by such person for compensation is extravagant."	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
			(*vi*) WEST PAKISTAN CODES	
241	Urban Immovable Property Tax Act, 1958.	Section 10 (1) ..	Any person aggrieved by an order of the appropriate authority upon an objection made before that authority under section 8, 9 or15 may appeal against such order, at any time before the expiration of thirty days from the date of such order, to the Collector of the district in which the building or land to which the objection related is situate, or to such other officer as the Government may, by notification, appoint in this behalf.	
		Section 10-(2) ..	The Commissioner or such other officer as may be appointed by the Government by notification in this behalf, may of his own motion at any time, or on application made within a period of one year from the date of the taking of any proceedings or passing of any order by an authority subordinate to the Commissioner call for and examine the record of the proceeding or the order for the purpose of satisfying himself as to the legality propriety or of the same and may pass such order in reference thereto as he may consider fit.	
		Section 16(1) ..	If any sum due on account of the tax levied under section 3 or as a penalty imposed under this Act is not paid within the time allowed for its payment and the person from whom it is due does not show cause to the satisfaction of the Collector or any other person authorised by him why he should not pay the same, such sum (inclusive of all costs of recovery) may be recovered under a warrant in the prescribed form or in a form to the like effect to be signed by the Collector— (*i*) by distress or sale of the movable property belonging to such person; or (*ii*) by attachment and sale of the immovable property belonging to him.	
242	The West Pakistan Entertainments Duty Act, 1958.	Section 6 ..	If any person is admitted to any place of entertainment and the provisions of section 4 or 5, as the case may be, are not complied with or the payment of entertainments duty is otherwise evaded, the Collector shall, in addition to the recovery of the entertainments duty evaded or underpaid, impose on the proprietor of the entertainment to which such person is admitted, a penalty not exceeding a sum of five hundred rupees, or a sum not greater than five times the entertainments duty the payment of which was evaded, whichever is greater;	

		Section 6 ..	Provided that no such penalty shall be imposed unless the person on whom it is to be imposed or his duly authorised agent is given an opportunity of being heard by the Collector, or by an officer authorised by him in this behalf.	
		Section 7 ..	When an employee of the proprietor of a place of entertainment or a person acting on behalf of the proprietor has been found guilty of any offence punishable under this Act, the proprietor, as wel l as the actual offender, shall be punished for the offence committed. Provided that the prorietor shall not be punished where he proves to the satisfaction of the Court, or of the Collector, that he had taken all reasonable precautions to prevent the commission of the offence.	
		Section 8 (i) ..	The Collector may, on such condition as he considers necessary, exempt from liability to entertainments duty any entertainment where he is satisfied that the whole of the net proceeds of the entertainment will be devoted to philanthropic, charitable, educational, athletics, sports, national or scientific purposes.	
		Section 9 ..	The Collector, or the Government, when exempting any entertainment from liability to entertainments duty under sub-section (1) or sub-section (2) of section 8, as the case may be, may direct that the proprietor of the entertainment concerned shall furnish to the Collector such security as he may require for ensuring the observance of the conditions subject to which the exemptions is granted.	
		Section 10 ..	Where it appears to the Collector, or to an officer authorised by him in this behalf, that the proprietor of an entertainment has wilfully failed to make suitable arrangements for the payment of duty in accordance with the provisions of this Act, or it is apprehended that he will not pay the duty in full, the Collector or the said officer may, for reasons to be recorded in writing, call upon him to furnish such cash security as he considers appropriate, failing which the Collector or the said officer may direct that the entertainment shall not be proceeded with.	
		Section (1) ..	The Collector or any Excise, Taxation, Revenue or Police Officer not below such rank as the Government may prescribe may enter any place of entertainment while the entertainment is proceeding, and any place ordinarily used as place of entertainment, at any reasonable time, with a view to seeing whether the provisions of this Act or the rules made thereunder are being complied with.	
		Section 13 (1) ..	The entertainments duty evaded or underpaid or penalty imposed shall be payable within the time specified by the Collector.	

Serial No.	Act/Ordinance	Section	Nature and extent of Power	
1	2	3	4	5
242—*concld.*	The Pakistan Entertainments Duty Act 1958—*concld.*	Section 13 (2) ..	If any sum payable under this Act is not paid within the time allowed for its payment and the person from whom it is due does not show cause to the satisfaction of the Collector, or any officer authorised by him, why he should not pay the same, such sum (including the cost of recovery) may be recovered under a warrant in the prescribed form signed by the Collector, by the distress and sale of movable property belonging to such person. The warrant may be addressed to an officer of the Excise and Taxation Department for execution, and in executing it he may obtain such assistance from other servants of the said Department as he may consider necessary.	
		Section 15 (1) ..	The Commissioner may, on his own motion, at any time, or on an application made to him in this behalf within thirty days of the date of an order made by the Collector under this act, call for the record of any proceedings held or any order made by the Collector, for the purposes of satisfying himself as to the legality or propriety of such proceedings or order and may pass such order in reference thereto as he may think fit.	
243	The West Pakistan Graveyards Act, 1958.	Section 10 ..	If an order made under section 9 is not complied with, within the period specified in the order, the Tribunal may require the District Magistrate of the district to take such steps, including the forcible removal from such land or property of all the occupiers thereof, as may be necessary to put the Committee in possession of the land or property, and the District Magistrate shall act accordingly. Any expenses incurred on such forcible removal shall be recoverable from such occupiers as arrears of land revenue.	
244	The West Pakistan Control of Orphanages Act, 1958.	Section t3 (2) ..	A person applying for a licence to run an orphanage shall inform the District Magistrate, whether the orphanage for which he has applied, is a male or female orphanage.	
		Section 4 (1) ..	The District Magistrate may, on receipt of an application in the prescribed form and after making such inquiry as he may deem necessary under sub-section (2), issue to any person a licence, without payment of any fee, for establishing or continuing an orphanage on such conditions as may be prescribed.	

		Section 4 (2)	Before issuing a licence the District Magistrate shall satisfy himself that— (*i*) the orphanage is suitable for the proper accommodation of orphans; (*ii*) the applicant is competent to discharge his responsibilities; and (*iii*) there is no other cause or reason for which the application for the licence may be refused.	
		Section 5 ..	A licence issued under section 4— (*i*) shall be valid for a period of three years from the date of issue, and may on an application by the manager in the prescribed form, be renewed by the District Magistrate, without payment of any fee, for further periods not exceeding three years at a time; (*ii*) may be suspended or cancelled by the District Magistrate, if there is any contravention of any of the provisions of this Act or any breach of the conditions of the licence.	
		Section 6 ..	If the District Magistrate rejects an application for the issue or the renewal of a licence or suspends or cancels a licence issued under this Act, he shall record his reasons for doing so in the order and the applicant, licensee or the manager, as the case may be, may, within three months from the date of any such order, prefer an appeal to the Government. The order passed by the Government on appeal shall be final and shall be given effect to by the District Magistrate.	
		Section 7 ..	The District Magistrate shall keep a register of all licences issued and renewed under this Act.	
		Section 8 (1) ..	Within seven days of the admission into or the discharge from the orphanage of an orphan, the Manager shall report to the District Magistrate in the prescribed form the name and other particulars of such orphans.	
		Section 8 (2)— ..	After verifying, in the manner prescribed, the report received under sub-section (1), the District Magistrate may issue to the Manager such directions regarding admission or discharge of an orphan as he may deem necessary and the Manager shall carry out those directions.	
		Section 10 ..	The Manager shall maintain, or cause to be maintained, regular accounts of income and expenditure of the orphanage in such forms as may be prescribed and shall place them before the District Magistrate twice in a year, that is, after every six months.	

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Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
244—*concld.*	The West Pakistan Control Orphanages Act, 1958—*concld.*	Section 11 ..	The Manager shall, whenever required by the District Magistrate or any other Magistrate authorised by the District Magistrate in this behalf produce the reports or accounts maintained by him under section 8, 9 and 10, before the District Magistrate or such other Magistrate who may, after inspection of such reports or accounts issue such directions as he may deem necessary and the manager shall carry out such directions.	
245	The West Pakistan Water and Power Development Authority Act 1958.	Section 14 (2) ..	When any person enters into or upon any land in pursuance of sub-section (1), he shall, at the time of entering or as soon thereafter as may be practicable, pay or tender payment for all necessary damage to be done as aforesaid, and in case of dispute as to the sufficiency of the amount so paid or tendered, the dispute shall be referred to the Deputy Commissioner of the district whose decision shall be final.	
246	The West Pakistnan Epidemic Diseases Act, 1958.	Section 2 (3) ..	The Provincial Government may, by general or special order, empower a Deputy Commissioner to exercise in relation to the district all the powers under this section exercisable by the Provincial Government in relation to the Province, other than the power to determine in what manner and by whom any expenses incurred (including compensation, if any) shall be defrayed.	
247	The West Pakistan Tobacco Vend Act, 1958.	Section 4 (1) ..	The Collector or any person authorised by him in this behalf may issue a dealer's licence.	
		Section 4 (2) ..	Every such licence shall be granted— (*a*) on payment of such fees and for such period as may be prescribed by Government; and (*b*) subject to such conditions and in such form and containing such particulars as may be prescribed by the Commissioner.	
		Section 5 (2) ..	When any person is convicted under sub-section (1) of a breach of any of the conditions of his licence, the Collector may suspend or cancel his licence.	

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		Section 7 ..	The Collector or any Magistrate authorised by him may accept from any person against whom a reasonable suspension exists that he has committed an offence under this Act, a sum of money not exceeding one hundred rupees by way of composition for such offence or alleged offence.	
		Section 10 ..	No Magistrate shall take cognizance of any offence punishable under this Act except on the complaint of the Collector or an officer authorised by him in this behalf, within six months of the date on which the offence is alleged to have been committed.	
248	The West Pakistan Vagrancy Act, 1958.	Section 6 ..	Any old, infirm or disabled person or a child may present himself before the District Magistrate for being admitted to a welfare ome and if the District Magistrate is satisfied that such person has no source of livelihood, he may be detained in a welfare home till such time as such person becomes possessed of means of livelihood or applies for his release from custody.	
		Section 21 ..	Any person aggrieved by an order of a Magistrate under this Ordinance may within thirty days of such order appeal to the District Magistrate and if such order is made by the District Magistrate, to the Sessions Court.	
249	The West Pakistan Vaccination Ordinance, 1958.	Section 3 (2) ..	If the Deputy Commissioner receives information from the District Health Officer that a local authority has failed to execute or enforce any of the provisions of this Ordinance relating to the vaccination of unprotected children, he may after making such inquiry from the local authority as he thinks fit, by order, empower any public servant to execute or enforce these provisions or to procure the execution or enforcement thereof and the order may fix a reasonable remuneration to be paid to such public servant, and such remuneration together with any expenses incurred by the public servant in performing the duties of the local authority under the Ordinance shall be paid by the local authority.	
		Section 3 (3) ..	If the expenses and the remuneration are not so paid, the Deputy Commissioner may make an order directing any person who for the time being has custody of any moneys on behalf of the local authority, as its officer, treasurer, banker or otherwise to pay such expenses and remuneration from such moneys as he may have in his hands or may from time to time receive, and such person shall be bound to obey such order.	
		Section 3 (4) ..	When the Deputy Commissioner makes any order under this section, he shall forthwith forward to the Commissioner and to the local authority affected thereby a copy of the order with a statement of reasons for making it, and it shall be in the discretion of the Commissioner to rescind the order or to direct that it may continue in force with or without modifications.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
250	**The West Pakistan Land Utilization Ordinance, 1959.**	Section 3 (1) ..	Notwithstanding anything contained in any law for the time being in force, whenever it appears to the Collector that any proprietary land shown in the revenue records as not having been cultivated for two consecutive years, is capable of being reclaimed for cultivation, he may by order in writing, direct that such land shall be brought under cultivation within a period of two years from the date of the order.	
		Section 3 (2) ..	As order passed by the Collector under subsection (1) shall specify the village in which the land is situated, its approximate area and field numbers or, if the land does not bear any field numbers, its boundaries other particulars as the Collector thinks necessary.	
		Section 3 (4) ..	The service of the order on the persons mentioned in sub-section (3) shall be made, at the discretion of Collector, in one or more of the following modes, namely :— (*a*) by delivery of a copy of the order ; (*b*) by registered post at the last known address ; (*c*) such other manner as the Collector may think fit.	
		Section 3 (5) ..	The Collector shall also cause public notice of any such order to be given in the locality at convenient places by beat of drum or in such other manner as he deems fit.	
		Section 4 ..	If the land in respect of which an order has been passed under section 3, is not brought under cultivation within the period specified in the order the Commissioner may, by notification in the Official Gazette, declare that the land is likely to be taken on lease for the purpose of reclamation according to the provisions of this Ordinance. The notification shall give such particulars of the land as are mentioned in subsection (2) of section 3 and shall state that any person having any interest in that land may within thirty days of the issue of the notification, make an objection in writing to the Collector.	

		Section 5 ..	The Collector shall give the objector an opportunity of being heard either in person or through a legal practitioner or through an authorised agent.	
		Section 6 ..	In every case, whether or not any objection has been made under section 4, the Collector shall submit report with his recommendations and the record of the proceedings under sections 3, 4 and 5 to the Commissioner for decision.	
		Section 8 ..	Whenever a declaration under section 7 has been made in respect of any land, the Commissioner shall direct the Collector to take possession of the land for the purposes of this Ordinance.	
		Section 9 ..	The Collector shall thereupon cause the land to be marked out, if it has not already been done and to be measured, and if no plan of the land has been made he shall direct that a plan of the same be made.	
		Section 10 (1) ..	The Collector shall thereafter cause a notice to be given as hereinafter mentioned that the Commissioner has declared that the land be taken for reclamation in accordance with the provisions of this Ordinance.	
		Section 10 (4) ..	The notice shall call upon all persons interested in the land to submit to the Collector personally, or through a legal practitioner, or through an authorised agent, at such place and time and on such date not being earlier than fifteen days from the date of proclamation of the notice in the locality as may be specified in the notice, their claims for respective interest in the land and for apportionment of the lease money. The notice shall also call upon all such persons to make objections, if any, against the measurements made under section 9.	
		Section 10 (5) ..	Subject to the provisions hereinafter made for appeal, review and revision, the orders passed by the Collector in respect of such claims and objections shall be final.	
		Section 11 (1) ..	After the publication of notice under section 10, the Collector shall take or cause to be taken possession of the land in respect of which a declaration under section 7 has been made and thereupon the land shall vest in Government as a lease hold for the purposes of this Ordinance for such period as the Commissioner may determine under subsection (1) of section 7.	
		Section 11 (2) ..	After taking possession of the land the Collector may utilise it in accordance with any general scheme that Government may approve in this behalf.	
		Section 12 (1) ..	The Collector may grant lease of the land which is not taken over by Government under subsection (2) of section 11 for such period as may be	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
250--*contd.*	The West Pakistan Land Utilization Ordinance, 1959—*contd.*	Section 12 (2) ..	determined by the Commissioner to such person as he deems fit. The Collector may also direct that the land shall be irrigated by means of a tube-well or a percolation well to be sunk by the tenant in accordance with such terms and conditions as may be prescribed.	
		Section 12 (2) ..	The Collector shall determine the amount of rent to be paid by the tenant in respect of the lease granted under this section and the manner in which such rent shall be paid.	
		Section 12 (3) ..	The rent so determined shall, after deduction of the land revenue, rates and cesses and of an amount equal to 8 per centum of the total rent as administration charges, be paid to the person or persons having interest in the land according to the apportionment, if any, made by the Collector under section 10.	
		Section 13 ..	If the tenant fails to bring the land under cultivation, or to comply with any order made by the Collector, in pursuance of the provisions of this Ordinance or of the rules made thereunder, within the time fixed by the Collector, or makes default in the compliance of any of the terms and conditions of the lease, the Collector may pass an order terminating the lease. The lease shall, there upon, stand terminated and the tenants shall, subject to the provisions of section 27, be liable to ejectment as hereinafter provided.	
		Section 14 ..	Subject to the provisions of section 17, with regard to payment of compensation, the Commissioner may subject to such terms and conditions, as he may impose, terminate the lease at any time, before the expiry of period of lease : Provided that the lease shall not be terminated except on reasonable grounds : Provided further that three month's notice is given by the Collector before its termination.	

		Section 17 ..	Where a tube-well or a percolation well has been sunk by the tenant, the owner or the person having an interest therein may, on the termination of the lease acquire the machinery and the well left in the land, after paying to the tenancy such compensation, as may be determined by the Collector in such manner as may be prescribed.	
		Section 18 (1) ..	On termination of the lease by the expiry of the term of the lease or under section 13 or section 14, the Collector shall inquire from the owner whether he wishes to take possession of the land or whether he desires the Government to continue in possession. If the owner refuses to take possession, the Collector shall, after making such enquiry, if any, as he considers necessary, specify by an order in writing, the person to whom possession of the land shall be given.	
		Section 18 (3) ..	Where a person to whom possession of the land is to be given cannot be found and has no agent or other person empowered to accept delivery of possession on his behalf, the Collector shall cause delivery of possession to be given, by a public notice in the manner prescribed.	
		Section 19 (1) ..	On the termination of the lease, the land shall be restored by the tenant to the person specified under sub-section (1) of section 18 after payment to the tenant of such compensation, if any, as may be determined by the Collector under section 17.	
		Section 19 (2) ..	If the tenant fails to restore possession of the land after the aforesaid person has made a demand for the same, the Collector, shall, on application by such person, cause such person to be put in possession.	
		Section 22 (1) ..	The Collector may delegate his powers and functions under this Ordinance other than those provided in sections 3, 12, 17, 18 and 19 to any officer of the Revenue Department not below the rank of an Assistant Collector, first grade, either by name or by designation of office.	
		Section 23 ..	Notwithstanding anything to the contrary contained in any law for the time being in force, no instrument intended to give effect to a lease by the Collector under this Ordinance shall be required to be stamped or registered and no stamp duty or registration fee shall be required to be paid on it.	
		Section 24 (1) ..	An appeal against an order passed— by an officer of the Revenue Department in exercise of the power or function delegated to him under sub-section (1) of section 22 shall lie to the Collector within a period of thirty days from the date of such order.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
250—*concld.*	The West Pakistan Land Utilization Ordinance, 1959—*concld.*	Section 25 (1) ..	The Commissioner, the Collector or the officer of the Revenue Department to whom powers and functions have been delegated under subsection (1) of section 22, may, either of his own motion or on the application of any party interested, review, and on so reviewing modify, reverse or confirm, any order passed by himself or by any of his predecessor in office provided as follows :— (*a*) an o rder passed by his predecessor in office shall not be reviewed by the— (*i*) Commissioner, without first obtaining the sanction of the Board of Revenue, (*ii*) Collector, without first obtaining the sanction of the Commissioner, and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject; (*b*) an application for review of an order shall not be entertained unless it is made within ninety days from the passing of the order or unless the applicant satisfies the Board of Revenue or the officer concerned that he has sufficient cause for not making the application within that period ; (*c*) an order shall not be notified or reversed unless reasonable notice has been given to the parties affected thereby to appear and be heard in support of the order ; (*d*) an order against which an appeal has been preferred shall not be reviewed.	

		Section 25 (2) ..	An appeal shall not lie from an order refusing to review or confirming on review a previous order.	
		Section 26 (1) ..	The Collector may call for the record of any proceedings pending before or disposed of by an officer of the Revenue Department to whom powers have been delegated under sub-section (1) of section 22.	
		Section 26 (2) ..	The Commissioner may call for the record of any proceedings pending before or disposed of by a Collector or an officer of the Revenue Department referred to in sub-section (1).	
		Section 26 (3) ..	The Board of Revenue may, at any time, call for the record of any proceedings pending before or disposed of by a Commissioner, a Collector or an officer of the Revenue Department referred to in sub-section (1).	
		Section 26 (4) ..	If in any case in which a Collector has called for a record, he is of the opinion that the proceedings taken or order made should be modified or reversed, he shall report the case, with his opinion thereon, for the orders of the Commissioner.	
		Section 26 (5) ..	The Board of Revenue may in any case called for under subsection (3) and a Commissioner may in any case called for under sub-section (2) or reported to him under subsection (4) pass such orders as it or he thinks fit: Providing that no order shall be passed under this section reversing or modifying any proceedings or order of a subordinate Revenue Officer and affecting any question of right between private persons without giving those persons an opportunity of being heard.	
		Section 28 ..	Whoever wilfully obstructs the Collector or any person acting on his behalf while causing possession of land to be taken under section 11 or while causing a person to be put in possession under subsection (2) of section 19, or whoever abets the commission of any such offence, shall on a complaint made by the Collector or the person obstructed, be punished with imprisonment of either description, which may extend to one year, or with fine, or with both.	
251	The West Pakistan Agricultural Pests Ordinance, 1959.	Section 7 (2) ..	The occupier may within seven days from the service upon him of such notice prefer an appeal to the Collector, or Deputy Collector, or Assistant Collector, first grade, specially empowered in this behalf by the Collector, against the notice.	
		Section 7 (3) ..	The authority before whom the appeal is preferred may extend the time specified in the notice issued under subsection (1) and shall, after giving the occupier an opportunity of being heard, pass such order on the appeal as he thinks fit.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
251—*concld.*	The West Pakistan Agricultural Pests Ordinance, 1959—*concld.*	Sectin 11 (1) ..	Any person aggrieved by an order of seizure or destruction may, within seven days of such order, appeal to the Collector, Deputy Collector or Assistant Collector, first grade, specially empowered by the Collector in this behalf.	
252	The West Pakistan Survey and Rectangulation of Land Ordinance, 1959.	Section 4 ..	Whoever obstructs or prevents any operations under this ordinance, or fails to comply with any provisions of the rules made thereunder, shall, on a complaint made in writing by any Revenue Officer, be punished with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees or with both.	
253	The West Pakistan Control of Goondas Ordinance, 1959 ..	Section 2 (2) ..	The Tribunal shall consist of the officer holding for the time being the office of the District Magistrate or any Magistrate of the first calss specially empowered by Government in this behalf.	
254	The West Pakistan Consolidation of Holdings Ordinance, 1960.	Section 7 (1) ..	Where there appear to be good and sufficient reasons for disalloing an application for consolidation of holdings, or for excluding any land from consolidation, the Consolidation Officer, may, at any stage of the proceedings, submit the application to the Collector with the recommendation that the application be rejected in whole or in part, or that the proceedigs in respect thereof be quashed.	
		Section 7 (2) ..	The Collector, on receipt of the recommendation, may pass such orders thereon as he deems proper, rejecting or admitting the application, either in whole or in part, or he may direct the Consolidation Officer to make further recommendation after such enquiry as may be directed.	
		Section 8 ..	If the Consolidation Officer makes no recommendation to the Collector under sub-section (1) or if the Collector allows the application on such recommendation to be entertained in whole or in part, the Consolidation Officer shall admit the application in whole or in part, as the case may be, and shall proceed to deal with it in such manner as may be prescribed.	

		Section 10 (4) ..	If the Consolidation Officer fails to bring about an amicable settlement, he shall submit the scheme with his recommendations to the Collector, who after giving notice to the persons concerned and hearing them if they so desire, may, after further enquiry by himself or any Consolidation Officer, or without such enquiry, as he may deem fit, reject the scheme or confirm it with or without modifications.	
		Section 11 (1) ..	Any person aggrieved by an order of the Consolidation Officer confirming the scheme, may within sixty days from the date of the order, prefer an appeal to the Collector.	
		Section 12 ..	When the Consolidation Officer or the Collector, as the case may be, is of the opinion that the re-distribution of land in accordance with the scheme of consolidation confirmed by him will have the result of allotting to any land-owner any piece of land which is not of the same value as his original piece of land and that it is equitable that compensation should be granted, he may provide for payment of compensation by and to the persons as may be affected by the scheme.	
		Section 13 (2) ..	A Commissioner or Collector may call for the record of any case under this Ordinance pending before or disposed of by, any Revenue Officer or Consolidation Officer under his control.	
		Section 13 (3) ..	If in any case in which a Collector has called for the record under subsection (2), he is of opinion that the proceedings taken or order made should be modified or reversed, he shall report the case with his opinion thereon for the orders of the Commissioner.	
		Section 19 ..	A Revenue Officer may, either of his own motion or on an application in this behalf, eject any person making any encroachment upon any way or path shown in the record-of-rights prepared under section 15, and by an order published in such manner as may be prescribed, for bid repetition of the encroachment : Provided that the proceedings of the Revenue Officer shall be subject to any decree or order which may be passed by any Court of competent jurisdiction.	
255	The West Pakistan Money-Lenders Ordinance, 1960.	Section 3 (2) ..	A money-lender may apply to the Collector for a licence which may be granted for such period, in such form and on such conditions, and on payment of such fees, as may be prescribed.	
		Section 4 ..	The Collector shall maintain a register of money-lenders licensed under the last proceeding section in such form as may be prescribed.	

Serial No.	Act/Ordinance	Section	Nature and extent of power	REMARKS
1	2	3	4	5
255—*concld.*	The West Pakistan Money-lenders Ordinance, 1960 —*concld.*	Section 5 (1) ..	The Collector may, on his own motion or on the application of debtor, for reasons to be recorded in writing, cancel the licence issued to a money-lender on any one or more of the following grounds, namely:— (*i*) that the money-lender has been held by a Court to have contravened the provisions of section 13 or 14 in more than two suits; (*ii*) that the money-lender's suit has been dismissed with a finding that he has made, dishonestly or fraudulently, a material alteration in any document relating to a loan; (*iii*) that the money-lenders suit has been dismissed with a finding that the suit was based on a fraudulent transaction or was fraudulent; (*iv*) that the money-lender has been found guilty by a Court of forgery or cheating in respect of a money transaction; (*v*) that the money-lender has been found by a Court to have charged such interest as was excessive within the meaning of section 4 of the West Pakistan Usurious Loans Ordinance, 1959; (*vi*) that the money-lender has been found by a Court to be responsible for an entry relating to a loan showing the amount of the sum advanced to be in excess of that actually advanced *plus* legitimate expenses incurred; (*vii*) that the money-lender or any person responsible or proposed to be responsible for the management of the money-lender's business is disqualified under this Ordinance of holding a licence: (*viii*) that the money lender has been convicted of any offence under Chapter V of this Ordinance:	

			Provided that no licence shall be cancelled without giving the money-lender concerned an opportunity of being heard:	
			Provided further that where the cancellation of a licence is based on a judgment, decree or order of a Court and such judgement, decree or order is subsequently modified in review or set aside in appeal or revision, the Collector shall, on an application made in that behalf by the money-lender, review his order.	
		Section 5 (2) ..	The Collector in cancelling a licence under sub section (1) may specify the period for which the licence shall not be renewed or a fresh licence shall not be granted.	
		Section (3) ..	Any debtor making an application under this section which is frivolous or vexatious shall be liable to pay to the money-lender against whom the application has been made, compensation of such amount not exceeding one thousand rupees as shall, in the opinion of the Collector, be sufficient.	
		Section 7 ..	A money-lender whose licence has been suspended or cancelled under section 5, 8 or 11, may, within thirty days of the order suspending or cancelling hs licence, apply to the Collector for grant of a certificate specifying the loans in respect of which a suit may be instituted or the decree in respect of which an application for execution may be presented by him.	
		Section 9 ..	A money-lendar may after the termination of the period for which his licence has been cancelled or the expiry of the period for which he has been disqualified under section 11, apply to the Collector under section 3 for the grant of a licence:	
			Provided that full particulars of every disqualification incurred by the applicant and every cancellation or suspension of a licence held by him under this ordinance are specified in the application.	
		Section 11 (1) (c) ..	A court convicting a money-lender of an offence under this Ordinance or trying a suit to which he is a party may, if satisfied that such money-lender has committed such contravention of the provisions of this Ordinance or the rules made there under as, in its opinion, makes him unfit to carry on the business of money-lending cause the particulars of the conviction and of any order made by the Court under this section to be endorsed on the licence held by the money-lender convicted or by any person affected by the order, and shall cause copies of its order to be sent to the Collector by whom the licence was granted for the purpose of entering such particulars in the register of money-lenders maintained under section 4.	

Serial No.	Act/Ordinance	Section	Nature and extent of Power	REMARKS
1	2	3	4	5
256	The West Pakistan Pure Food Ordinance Act, 1960.	Section 35 (1) ..	If the Deputy Commissioner of a District received information from the Director or has reason to believe that a Food Authority has failed to execute or enforce any of the provisions of this Ordinance in relation to any food and that the failure effects the general interest of the consumers, he may, after making such inquiry from the Food Authority as he thinks fit, by order, empower any public servant to execute or enforce these provisions or to procure the execution or enforcement thereof in relation to such food and the order may fix a reasonable remuneration to be paid to such public servant, and such remuneration together with any expenses incurred by the public servant in performing the duties of the Food Authority under this Ordinance shall be paid by the local authority.	
		Section 35 (2) ..	If the expenses and remuneration are not so paid the Deputy Commissioner may make an order directing any person who for the time being has custody of any moneys on behalf of the local authority, as its officer treasurer, banker or otherwise, to pay such expenses and remuneration from such moneys as he may have in his hands or may from time to time receive, and such person shall be bound to obey such order.	
		Section 35 (3) ..	When the Deputy Commissioner makes any order under this section, he shall forthwith forward to the Commissioner and to the local authority affected thereby a copy of the order with a statement of the reasons for making it, and it shall be in the discretion of the Commissioner to rescind the order, or to direct that it may continue in force with or without modification.	
257	The West pakistan Prohibition of Opium Smoking Ordinance, 1960.	Section 5 ..	Whoever, being an occupier of owner of, or having any concern in, the management of any place, permits such place to be used or knowing or having reason to believe that such place is being or is about to be used for the purposes of opium smoking or manufacture of opium in contravention of the provisions of this Ordinance, fails either himself or through his agent or manager to give the earliest possible notice of such knowledge or belief to the Collector or to an Excise Officer or to the officer in-charge of the nearest police station, shall be punished with fine which may extend to five hundred rupees.	

		Section 9 ..	If a Collector a District Magistrate, a sub-Divisional Magistrate or a Magistrate of the first Class, upon information received and after such inquiry, if any, as he considers necessary, has reason to believe that any place is being or is likely to be used for the commission of an offence punishable under section 4, 5 or 6 he may issue a warrant to an Excise Officer authorising him. (*a*) to enter any such place by day or night accompanied by any person whose assistance such officer may consider necessary for the discovery of any opium or any appliance for the preparation of opium or of for opium smoking in such place; (*b*) to arrest and search all or any such persons as may be found in such place and reasonably believed by the ExeciseOfficer to be guilty of an offence punishable under this Ordinance, whether they are actually engaged in opium smoking or not; and (*c*) to seize all appliances for opium smoking or for the manufacture of opium which may be found in such place.	
		Section 16 ..	No Magistrate other than a Magistrate of the first class shall try any offence punishable un der this Ordinance.	
258	The West Pakistan, Prohibition of smoking in Cinema Houses Ordinance, 1960.	Section 6 ..	The District Magistrate or any officer authorised by him in this behalf, may, by general or special order in writing, direct that the provisions of this Ordinance shall not apply in respect of any cinema house or any performance, demonstrat ion or exhibition therein.	
259	The West Pakistan Maintenance of Public Order Ordinance, 1960.	Section 3 (2) ..	If a District Magistrate or any other servant of Government authorised in this behalf by a general or special order of Government, has reason to believe that any person within his territorial jurisdiction has acted, is acting or is about to act in a manner prejudicial to public safety or the maintenance of public order, he shall forth with refe the matter to Government for orders.	
		Section 3 (8) ..	If Government or a District Magistrate has reasons to believe that a person in respect of whom an order of arrest and detention has been passed under this section, has absconded or is concealing himself so that such order cannot be executed, Government or the District Magistrate, as the case may be, may— (*a*) forward a copy of the order, with a declaration that such person cannot be found, to a Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides and thereupon the provision of sections 87,88 and 89 of the Code of Criminal Procedure, 1898, shall apply in respect of the said person and his property as if the order directing that he may be arrested and detained were a warrant issued by the Magistrate;	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	Remarks
1	2	3	4	5
259—*contd.*	The West Pakistan Maintenauce of Public Order Ordinance, 1960—*contd.*		(*b*) by order notified in the Official Gazette direct the said person to appear before such officer at such place and within such period as may be specified in the order and if the said person fails to comply with such direction he shall, unless he proves that it was not possible for him to comply therewith and that he had within the period specified in the order, informed the officer concerned of the reasons which rendered compliance therewith impossible and of his whereabouts or taken all possible steps to give such information, be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.	
		Section 3 (10) ..	The District Magistrate or any servant of Government referred to in sub-section (2), may summon and interrogate or cause the summoning and interrogation of any person, including a person arrested or detained under this section, if in his opinion such interrogation is likely to lead to the discovery of information which may enable the more effective exercise of powers under this Ordinance, whether in respect of the person interrogated or any other person, and the person interrogated under this sub-section shall be bound to answer truthfully all questions pertaining to the subject of the enquiry.	
		Section 5 (1) ..	Government or the District Magistrate, if satisfied with respect to any particular person that with a view to preventing him from acting in any manner prejudicial to public safety or the maintenance of public order, it is necessary so to do, may by order in writing, give any one or more of the following directions, namely, that such person— (*a*) shall not enter, reside or remain in any area that may be specified in the order; (*b*) shall reside or remain in any area that may be specified in the order;	

			(*c*) shall remove himself from, and shall not return to, any area that may be specified in the order; (*d*) shall conduct himself in such manner, abstain from such acts, or take such order with any property in his possession or under his control, as may be specified in the order; and (*e*) shall enter into a bond, with or without sureties for the due observance of the directions specified in the order.
		Section 5 (2) ..	An order under sub-section (1) made by the District Magistrate shall not, unless Government by special order otherwise directs, remain in force for more than three months from the making thereof.
		Section 5 (4) ..	An order under clause (*a*) of sub-section (1) made by Government may specify as the area to which the order relates, the whole Province or any part thereof and an order made by the District Magistrate may specify as such area the whole district or any part thereof; Provided that no such order made by Government shall direct the exclusion or removal from the Province of any person ordinarily resident in the Province and no such order made by the District Magistrate shall direct the exclusion or removal from the district of any person ordinarily resident in that district.
		Section 5 (5) ..	Where an order has ben made under sub-section (1), the authority making the order shall, as soon as may be but not later than fifteen days from the date of service of the order, communicate to such persons the grounds on which the order has been made, inform him that he is at libery to make a representation to Government against the order and afford him the earliest opportunity of doing so: Provided that the authority making any such order may refuse to disclose facts which such authority considers it to be against public interest to disclose.
		Section 8 (1) ..	The District Magistrate may, by order in writing depute one or more Police Officers not below the rank of head constable, or other person to attend any public meeting for the purpose of causing a report to be made of the proceedings.

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
259—*concld.*	The West Pakistan Maintenance of Public Order Ordinance, 1960—*concld.*	Section 10 ..	The power to issue search warrants conferred by section 98 of the Code shall be deemed to include the power to issue warrants for— (*a*) The search of any place in which any magistrate mentioned in that section has reason to believe that any offence under this Ordinance or any act prejudicial to public safety or the maintenance of public order has been is being or is about to be committed, or that preparation for the commission of any such offence or act is being made; (*b*) The seizure in or on any place searched under clause (*a*) of anything which the officer executing the warrant has reason to believe is being used or is intended to be used for any purpose mentioned in that clause; and the provisions of the Code shall, so far as may be apply to searches, made under the authority of any warrant issued and to the disposal of any property seized under this section.	
		Section 11 ..	Any authority on which any power is conferred by or under this Ordinance may by general or special order authorise any person to enter and search any place the search of which such authority has reason to believe to be necessary for the purpose of— (*a*) ascertaining whether it is necessary or expedient to exercise such power; or (*b*) ascertaining whether any order given, direction made, or condition prescribed in the exercise of such power has been duly complied with: or (*c*) generally giving effect to such power or securing compliance with or giving effect to any order given, direction made or conditions prescribed in the exercise of such power.	
		Section 12 (1) ..	Any authority, officer or person who is empowered by or in pursuance of this Ordinance to make any order, or to exercise any other power may, in addition to any other action prescribed by or under this Ordinance, take, or cause to be taken, such steps and use, or cause to be used, such force as may in the opinion of such authority, officer or person, be reasonably necessary for securing compliance with or for preventing or rectifying any contravention of, such order, or for the effective exercise of such power.	

		Section 12 (2) ..	Where in respect of any of the provisions of this Ordinance there is no authority, officer or person empowered, to take action prescribed by or under this Ordinance, Government may take or cause to be taken such steps and use, or cause to be used, such force as may, in the opinion of Government be reasonably necessary for securing compliance with or for preventing or rectifying any breach of such provision.	
		Section 12 (3) ..	The power to take steps under sub-section (1) or sub-section (2) includes the power to enter upon any land or other property whatsoever.	
260	The West Pakistan Prevention of Gambling Ordinance, 1961.	Section 8 ..	If a District Magistrate, Sub-Divisional Magistrate, Magistrate of the first class or District Superintendent of Police, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used as a common gambling-house, he may either himself, or by a warrant authorise any police officer not below the rank of an Assistant Sub-Inspector of Police to— (a) enter such place at any time with such assistance as may be required, and by force if necessary; (b) search such place for any instruments of gambling kept or concealed therein, and also the person of all those who are found in that place; (c) seize and take possession of all instruments of gambling, moneys and securities for money, and articles of value, reasonably suspected to have been used or intended to be used for the purposes of gaming, which are fund therein or upon any person there present; (d) take into custody, all persons found therein whether or not then actually gambling.	
261	The West Pakistan Suppression of Prostitution Ordinance, 1961.	Section 14 ..	The Superintendent of Police, or any gazetted police officer specially authorised in writing in this behalf by the District Magistrate, may enter any place and remove to the prescribed place any girl who appears to be under the age of eighteen years, if he has reason to believe:— (a) that an offence punishable under section 3 has been or is being committed in resepect of the place; or (b) that a woman or girl in respect of whom an offence under this Ordinance has been committed, is to be found therein.	

Serial No.	Act/Ordinance	Section	Nature and extent of powers	REMARKS
1	2	3	4	5
262	The West Pakistan Hill Tract Improvement Ordinance, 1961	Section 44 (2) ..	After a notification has been issued under sub-section (I) in respect of any locality, the Trust may apply to the Collector who after giving such reasonable notice to the owners and occupiers as may be prescribed, shall deliver possession of any land in such locality to the Trust and the land shall thereupon, notwithstanding anything contained in the Land Acquisition Act, 1894, vest absolutely in the Trust free from all encumbrances subject only to payment of compensation under the Land Acquisition Act, 1894, as modified by this Ordinance.	
		Section 47 (1) ..	An owner of land comprised in any scheme sanctioned by Government or any other person having interest therein, may apply to the Trust that the acquisition of land which is not required for the execution of the scheme be abandoned. The Trust may admit for consideration such application if it is made at any time before the Collector has made an award under section II of the Land Acquisition Act, 1894. If the application is admitted, the Trust shall intimate this fact to the Collector who shall thereupon stay further proceedings connected with the acqusition of land in respect of which the application is admitted and the same shall not be re-opened until so desired by the Trust.	
		Section 47 (3) ..	If any application under sub-section (I) is rejected by the Trust or the fee imposed under sub-section (2) is not paid by the person concerned within the period specified in that behalf by the Trust, the Trust shall intimate the fact to the Collector who shall take up the proceedings for acquisition of the land from the stage at which they had been stayed.	
		Section 82	The Chairman or any person generally or specially authorised by him may apply to the Collector for the recovery of any sum due under this Ordinance or by agreement made under this Ordinance and the Collector shall thereupon proceed to recover the sum due as if it were an arrear of land revenue.	

	Schedule to the above Ordinance		
263	Further modification in the Land Acquisition Act, 1894, hereinafter called "The said Act."	Section 3 ..	The full-stop at the end of section 11 of the said Act shall be deemed to be changed to a semi-colon, and the following shall be deemed to be added, namely:— "and (iv) the costs which in his opinion, should be allowed to any person who is found to be entitled to compensation, and who is not entitled to receive the additional sum of fifteen per centum mentioned in sub-section (2) of section 23, as having been actually and reasonably incurred by such person in preparing his claim and putting his case before the Collector. The Collector may disallow, wholly or in part costs incurred by any person if he considers that the claim made by such person for compensation is extravagant."
		Section 6 ..	After section 17 of the said Act the following shall be deemed to be inserted, namely: — "17-A. In every case referred to in section 16 or section 17, the Collector shall, upon payment of the cost of acquisition, make over charge of the land to the Trust and the land shall thereupon vest in the Trust subject to the liability of the Trust to pay any further costs which may be incurred on account of its acquisition".
		Section 14 ..	After section 48 of the said Act, the following shall be deemed to be inserted, namely:— "48-A. (I) If within a period of two years, from the date of the publication of the declaration under section 6 in respect of any land, the Collector has not made an award under section 11 with respect to such land, the owner of the land shall, unless he has been to a material extent responsible for the delay, be entitled to receive compensation for the damage suffered by him in consequence of the delay.

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